

# PURCHASE REQUISITION

NO. 42306

DATE 10-14-90

**Purchasing Department**

**Please purchase the following named items:**

INDICATE SOURCE OF SUPPLY IF KNOWN:

F1W  
6125 N. Benton Rd. P.O. Box 479  
Benton, IL 61863-0479

[illegible]

### Purpose or Use

Purpose or Use  
Disposal of Paint Waste

When wanted

When wanted ASAP

**For**

Print Dept

Dept.

To be filled in by Purchasing Dept.

**Data order:**

**Order No.**

From

Approved

*[Signature]*

00001

OCT 11 1990



## Specialists in the Transportation and Disposal of Hazardous Waste

October 9, 1990

Mr. Jim Nelson  
Superior Toy & Mfg. Co., Incorporated  
2020 Harrison Avenue  
Rockford, IL 61104

Dear Mr. Nelson:

You now have available a newly permitted midwestern Laidlaw Environmental Services (LES) transfer station.

LES purchased FIW, Inc. located in Pecatonica, Illinois in January 1990 and has been granted a permit to accept special and hazardous wastes. The FIW site can now store, reconsolidate, and repack drums and lab pack wastes. This means response to your pickup requests will be quicker since load consolidation to disposal outlets will happen after we receive the waste, rather than waiting for us to organize a full load to a disposal outlet.

Profiling new waste streams will be easier as well. A newly profiled waste stream needs only to be matched with a pre-approved generic profile, allowing most approvals to be granted within a week.

Another reason to send waste to our new site is our agreement to perform according to our attached Chemical Waste Service Agreement. Please review The Terms and Conditions. This standard GSX agreement is honored by all Laidlaw Environmental Services facilities.

Now, almost all of your drummed waste streams can be profiled into one facility. We have reviewed your drum waste streams and have completed new profile sheets for you.

We will need to have a signed copy of the profile sheet returned to us before we can send you a competitive price quote. Please return a signed TC Rule Certification/Recertification Form as well.

00002



## **Specialists in the Transportation and Disposal of Hazardous Waste**

Page 2  
Mr. Nelson  
October 9, 1990

Prior to scheduling shipments to any Laidlaw Environmental Services site, a signed Chemical Waste Service Agreement must be on file.

Also, to send waste to the Pecatonica, Illinois site, your company will need an Illinois EPA generator number and any specific requirements (i.e., lift gate trucks or overpacks) should be discussed with our Customer Service Department.

Please contact Doug Dirksen or me at (815) 239-2377 if you have any questions about our new permit or our remediation capabilities at Pecatonica.

Thank you for the opportunity to be of service.

Sincerely,

A handwritten signature in cursive script that reads 'Kevin Kaiser'.

Kevin Kaiser  
Facility Sales Manager

Enclosures

00003



# MATERIAL PROFILE

Name of Waste Stream

Waste Paint

GSX Use Only

Generator Name Superior Toy & Mfg. Co., Inc.Facility Address 2020 Harrison AvenueCity RockfordState IL

Zip Code

61104EPA Identification Number ILD 005072814

Technical Contact

Jim Nelson

Title

Telephone (815) 397-6800

EXT.

Billing Address

City

State

Zip

Is Sample

Available

Upon Request?

Yes X

No

Process Generating Waste Out of date Product

Rate Of Generation

Container Type/Size DM/55 galEPA Waste No. D001

State Waste No.

1. Does this waste contain spent solvents (F001 through F005)? Y NMaterials listed under the California list? Y N2. Is this waste listed for Dioxin as defined in 40 CFR 261.31? (F020 - F023 and F026 - 28) Y NX3. Is this waste INFECTIOUS? Y NXIs it RADIOACTIVE? Y NXDoes it contain PCB's > 50ppm? Y NX

4. If you answer yes to questions 2 or 3, DO NOT CONTINUE. Please contact your GSX Technical Sales Representative for assistance.

Chemical Constituents (Must Total 100%)

%

Xylol Xylene4Ethyl-3-Ethoxypropionate9Solvent 1008Formaldehyde0.03Methyl isobutyl Ketone0.03Butyl cellosolve1.32

Physical Characteristics at 70°F

Physical State: Liquid X

Semisolid

Solid

Layers: None

Two

Multilayers

Free Liquids (%)

Precipitated Solids (%)

1.91

Viscosity: Low

Medium

High

Is Material Pumpable? Yes

No

Polymerizable? Yes

N

Specific Weight (lbs./gal)

/ OR Specific Gravity (g/cc) 1.432Appearance WhiteOdor Aromatic/hydrocarbonFlash Point (cc): Exact 70°F

&lt; 60°F

61°F-100°F

101°F-140°F

141°F-200°F

&gt; 200°F

BTU/lb. 16,662Ash (%) 0.40Water (%) .5

pH (avg)

Range

to

Reactivity (Reactive with): not reactive

(Please Attach All MSDS's, Sample Analysis and Additional Info.)

Metals (ppm)

Total

EP

As

Ag

Cd

Ba

Rb

Cr(Total)

Cr(Hex)

Hg

Se

Total

Be

Ti

Sb

S

P

Total

Si

Na

Ni

Other: (Specify in PPM)

Free Cyanide

Free Sulfide

Phenolics

PCB's

BDT

Total Organic Halogens (%)

Fluorine

Bromine

Chlorine

0.1

I certify to the best of my knowledge and ability that the information provided is accurate complete and true

Generator's Signature

Date

Name

Title

Date

00004

# TC Rule Certification / Recertification Form

Generator Name: SUPERIOR TOY & MFG. CO., INC.

EPA ID#: ILD005072814

Location: 2020 Harrison Avenue, Rockford, IL 61104

Profile #: Waste Paint

**CHARACTERISTICS OF HAZARDOUS WASTE:** Indicate if this waste contains any of the following characteristics based on criteria mandated by 40 CFR 261.21, 261.22, 261.23 and 261.24.

	Regulatory Threshold Level	(Check One)		(Check One)		Actual Value
		Yes	No	Scientific Data	Generator's Knowledge	
D(01) Characteristic of Ignitability	< 140 <sup>oF</sup>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> <sup>oF</sup>
D(02) Characteristic of Corrosivity	≤ 2 or ≥ 12.5	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> pH
D(03) Characteristic of Reactivity		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Constituent	*Regulatory Threshold Level, ppm	(Check One)		(Check One)		Actual Value (ppm)
		Yes	No	Scientific Data	Generator's Knowledge	
D(04) (Arsenic)	5.0	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
D(05) (Barium)	100.0	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
D(06) (Cadmium)	1.0	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
D(07) (Chromium)	5.0	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
D(08) (Lead)	5.0	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
D(09) (Mercury)	0.2	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
D(10) (Selenium)	1.0	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
D(11) (Silver)	5.0	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
D(12) Edrin	0.02	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
D(13) Lindane	0.4	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
D(14) Methoxychlor	10.0	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
D(15) Toxaphene	0.5	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
D(16) 2,4-D	10.0	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(2,4-Dichloro-phenoxyacetic acid.)						
D(17) 2,4,5-TP Silvex	1.0	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
D(18) Benzene	0.5	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
D(19) Carbon Tetrachloride	0.5	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
D(20) Chlordane	0.03	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
D(21) Chlorobenzene	100.0	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
D(22) Chloroform	6.0	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
D(23) o-Cresol	200.0	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
D(24) m-Cresol	200.0	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
D(25) p-Cresol	200.0	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

00005

- Continued -

OK

Constituent	*Regulatory Threshold Level, ppm	(Check One)		Scientific Data	(Check One) Generator's Knowledge	Actual Value
		Yes	No			
D026 Cresol	200.0	_____	_____	_____	_____	_____
D027 1,4- Dichlorobenzene	7.5	_____	_____	_____	_____	_____
D028 1,2- Dichlorobenzene	0.5	_____	_____	_____	_____	_____
D029 1,1- Dichloroethylene	0.7	_____	_____	_____	_____	_____
D030 2,4- Dinitrotoluene	0.13	_____	_____	_____	_____	_____
D031 Heptachlor (and its hydroxide)	0.008	_____	_____	_____	_____	_____
D032 Hexachlorobenzene	0.13	_____	_____	_____	_____	_____
D033 Hexachlorobutadiene	0.5	_____	_____	_____	_____	_____
D034 Hexachloroethane	3.0	_____	_____	_____	_____	_____
D035 Methyl ethyl ketone	200.0	_____	_____	_____	_____	_____
D036 Nitrobenzene	2.0	_____	_____	_____	_____	_____
D037 Pentachlorophenol	100.0	_____	_____	_____	_____	_____
D038 Pyridine	5.0	_____	_____	_____	_____	_____
D039 Tetrachlorethylene	0.7	_____	_____	_____	_____	_____
D040 Trichlorethylene	0.5	_____	_____	_____	_____	_____
D041 2,4,5- Trichlorophenol	400.0	_____	_____	_____	_____	_____
D042 2,4,6- Trichlorophenol	2.0	_____	_____	_____	_____	_____
D043 Vinyl Chloride	0.2	_____	_____	_____	_____	_____

\* As defined by the TCLP (Method 1311), E.P. Toxicity is no longer acceptable.

"LISTED" Hazardous Wastes: Indicate if this waste also contains any listed hazardous wastes coded in 40 CFR 261.31, 261.32 and 261.33 by including the appropriate EPA hazardous waste code(s).

\_\_\_\_\_  
\_\_\_\_\_

GENERATOR CERTIFICATION:

I hereby certify that all information submitted on this form and all attached documents are true and accurate. In the event that this form is not fully completed, I authorize Environmental Services to conduct necessary testing at my expense to properly complete the form.

Signature: James A. Nelson  
Print Name: JAMES A. NELSON

Date: 10/19/90  
Title: Plant Mgr

00006

THIS CERTIFICATION/RECERTIFICATION IS REQUIRED FOR EACH PROFILE.  
ORIGINAL SIGNATURE REQUIRED



GSX Chemical Services, Inc.  
220 Outlet Pointe Boulevard  
P.O. Box 210799  
Columbia, SC 29221  
1-(800) 845-1019 • 1-(803) 798-2993  
1-(803) 798-3660 FAX



# CHEMICAL WASTE SERVICE AGREEMENT

ALSO USED HEREIN, "CLIENT" SHALL REFER TO:

B  
I  
L  
L  
T  
O

Superior Toy & Mfg. Company, Inc.  
2020 Harrison Avenue  
Rockford, IL 61104

S  
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Page 1 of 1 Pages

Superior Toy & Mfg. Company, Inc.  
2020 Harrison Avenue  
Rockford, IL 61104

CLIENT ORDER NO.:	CLIENT ORDER DATE:	CONTRACT TERM: FROM:	TO:
-------------------	--------------------	-------------------------	-----

<b>SERVICING</b> FACILITY Pecatonica, IL 61063-0479	<b>CONTACT</b> Doug Dirksen	<b>PHONE</b> (815) 239-2377
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## SCOPE OF WORK:

FIW, Inc./d.b.a. Laidlaw Environmental Services, located in Pecatonica,

Illinois shall provide hazardous materials management and related services on a service-for-fee basis. Terms and conditions on the reverse shall apply to all work entered into by FIW.

This agreement shall remain in effect until such a time when it is cancelled, per the terms on the reverse.

Before waste removal can be scheduled, credit must be approved and this agreement must be signed and on file. Please return all copies of this agreement. A copy will be returned for your records.

Payment terms shall be net ten (10) days from the date of invoice.

NOTICE: Any notice to be given under this Agreement shall be in writing and addressed or delivered to the following:

For Client:

See Above

For GSX:

General Counsel  
GSX Chemical Services, Inc.  
220 Outlet Pointe Boulevard  
P.O. Box 210799  
Columbia, SC 29221

I have read the entire Agreement including Terms and Conditions printed on the reverse side and I have received a true copy hereof.

AUTHORIZED SIGNATURE	<u>Tim Nelson</u>	<u>Plant Mgr</u>	<u>10/19/90</u>
CLIENT:		TITLE	DATE
AUTHORIZED SIGNATURE	<u>[Signature]</u>		<u>10/19/90</u>
			DATE



Waste Service Company

CUSTOMER

FIW, INC.  
PECATONICA, ILLINOIS 61063  
PHONE -815-633-4111  
PHONE -815-239-2377



ESTABLISHED 1935  
SPECIAL AND HAZARDOUS WASTE  
SHIPMENT RECORD FORM  
STRAIGHT BILL OF LADING

No. 22051

PERMIT # 000215

DATE 11-26-90 PAGE 1 OF 1

GENERATOR SUPPLIER TO SHIPMENT/P.O. # \_\_\_\_\_

ADDRESS PECATONICA IL VEHICLE NO. 008 0015/005

CARRIER FEDEX INC MANIFEST # 4375646

CONTAINER Type & Size	HM	DESCRIPTION AND CLASSIFICATION	TOTAL QUANTITY (Drums, Gallons, Labels, Permits, Pounds, Hours)	Physical State	LABEL USED	CARRIER USE ONLY	
						UNIT PRICE	CHARGES
80000		NON-HAZARDOUS WASTE	300	LIQUID	1		275.00
		WASTE					
		APPLICABLE TAXES					
		LABELS					
		LABELS					
		TRANSPORTATION COST (after first hour of loading/unloading) ADDITIONAL TIME \$50.00 PER HOUR					

Company agrees that Title to all materials listed on this form has transferred to FIW and is vested in FIW shall have no further right to the recovery of any material received by FIW nor any credit for potential value of said waste.  
This is to certify that the above-named materials are properly classified, described, packaged, marked and labeled and are in proper condition for transportation according to the applicable regulations of the Department of Transportation.

Signature

Title

Shipper SUPPLIER TO Per \_\_\_\_\_ Date 11-26-90

Received By FIW INC Per KEG C Date 11-26-90



**Rollins Environmental Services (FS) Inc.**

P.O. Box 45212, Dept. 123, Baton Rouge, Louisiana 70895  
(504) 292-4922



**Rollins**

February 23, 1987

Mr. Roger Boyd  
Borg Warner Automotive  
2929 Harrison Avenue  
Rockford, IL 61125-7007

Dear Mr. Boyd:

The Borg Warner Automotive Transformer was picked up on November 24, 1986 and arrived on November 25, 1986 at the US Ecology site in Tipton, MO. There it was flushed and drained in accordance with EPA guidelines. The transformer was prepared for shipment to the US Ecology site in Beatty, NV. It was shipped to Beatty on February 3, 1987 under Manifest Number T0032. The oil was shipped for incineration to our Rollins Environmental Services (TX) Inc. site in Deer Park, TX on February 17, 1987 under Manifest Number 00289120. You should receive your Certificate of Destruction shortly.

Thank you for your patience in this matter. If you have any questions, please feel free to call any time.

Sincerely,

ROLLINS ENVIRONMENTAL SERVICES (TX) INC.



Milton R. Wall  
PCB Field Supervisor

MRW:ls

cc: Paul Zovick

cc: G.R. Harding  
J. Freed  
W.A. Callahan



**Rudnick & Wolfe**

Chicago, IL

**ENSR**

Environmental Due  
Diligence Evaluation  
of the Borg-Warner  
Driveline Property,  
Rockford, Illinois

**ENSR Consulting and Engineering  
(Formerly ERT)**

**October 1988**

**Document Number 5805-003-000**

**00010**



Formerly ERT

ENSR Document No. 5805-003-000  
October 6, 1988

ENSR Consulting  
and Engineering

696 Virginia Road  
Concord, MA 01712  
(508) 369-8910

Johnine J. Brown, Esquire  
Rudnick & Wolfe  
Suite 1800  
203 North LaSalle Street  
Chicago, Illinois 60601-1293

Re: Environmental Due Diligence Evaluation of the Borg-  
Warner Driveline Property, Rockford, Illinois

Dear Johnine:

ENSR Consulting and Engineering, formerly ERT, is pleased to transmit its preliminary assessment of the above referenced property. This evaluation was performed pursuant to your request of August 31, 1988. We understand that this environmental due diligence study has been requested by you in conjunction with a proposed acquisition of the property by your client, Michael Landsman of Superior Toy & Manufacturing Company, Inc.

The following describes the facility location and site, summarizes our initial findings and recommendations, and describes study limitations.

#### Site Location and Description

The subject site consists of two parcels, a 24-acre section that contains a 356,400 square foot manufacturing complex that is closed and an adjacent 7-acre tract of land that is undeveloped. These two parcels of land are situated between Harrison and Twenty-Third Avenues in the City of Rockford. The properties are located within an industrialized section of the city, though some residential dwellings, including mobile homes, are situated directly across Harrison Avenue and opposite the southerly end of the subject property.

The main parcel was developed around 1937-38 by the present owner, Borg-Warner, as a universal joint manufacturing plant. This manufacturing activity continued until 1986 when the plant was closed; most of the manufacturing equipment has since been removed from the premises. Prior to the late 1930's, the subject property was in agricultural use.

00011

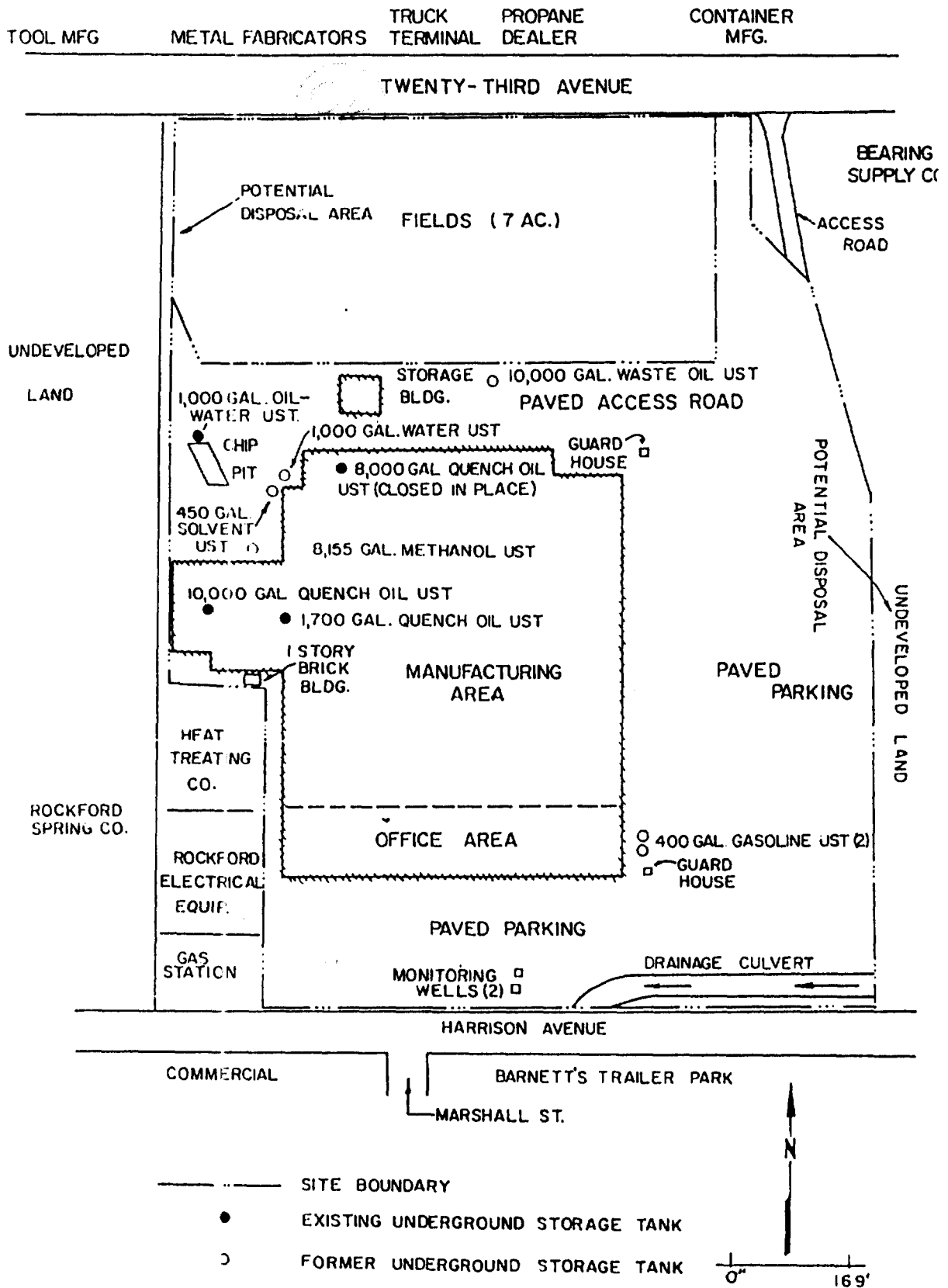


Figure 1 Site Plan

00012

October 6, 1988  
 Johnine J. Brown, Esquire  
 Page Two

The former manufacturing activities at the subject facility principally involved large-scale machining operations, involving the grinding, turning, hardening, and welding of steel into finished parts. The principal wastes generated by this process were metal filings/chips, used quench oil, and small quantities of solvents. There were no plating or painting operations involved.

On-Site Waste Contamination

A preliminary investigation of the subject property for the potential presence of a significant, on-site contamination problem was conducted. The details of this investigation are provided in Exhibit A. A summary of our findings is provided below.

The visual inspection of the subject property did not result in any direct observations indicative of the presence of a significant contamination problem. However, our preliminary investigation, which also included interviews with former plant personnel and selected public officials as well as the review of certain governmental records and data bases, did result in the identification of several conditions that represent sources of potential concern, in our opinion:

o Underground Tanks: Presently, there are four underground tanks present on the subject site; an additional six underground tanks were removed by Borg-Warner during the past two years. The four remaining tanks are not of particular concern, principally because they are either relatively new or, in the case of one tank, is located within a concrete vault. The one older, remaining tank (1,700 gallon quench oil tank which was installed within the manufacturing building in 1940) really is more of an open-top vat rather than an underground tank. The vat appears to rest on concrete and all contents have been removed, with the interior of the metal container having been steamed cleaned. Our major reservation involves the six tanks that were removed and the subsurface conditions around these particular tanks. We understand that soil testing was performed when certain of these tanks were removed; in some cases, no testing was conducted. At the time of the preparation of this report, no testing data were available for review, though we understand

October 6, 1988  
 Johnine J. Brown, Esquire  
 Page Three

that "some" contamination was found in relationship to the removal of the 10,000 gallon used oil tank.

o Chip Pit: Along the northwesterly side of the main parcel is a concrete-lined pit that formerly was used to temporarily store oily metal chips prior to off-site disposal. Oily residues and stormwater collected within the pit; periodically, these materials were pumped out by a commercial disposal company, Interstate Pollution Control. We understand that prior to 1980, this pit was not lined with concrete. Therefore, the potential for the presence of a subsurface contamination problem is substantial, in our opinion. Whether such contamination, if present, has entered the water table would be an additional source of concern. Although the oily residues may not be classified as a hazardous waste, they probably are considered a special waste; as such, any related contamination could present a problem.

o Prior On-Site Disposal Practices: Through an interview conducted with a past employee of the subject plant, we learned that prior to the 1950's, it was a standard practice to dispose of the oily sludges along the westerly side of the undeveloped northern tract of the subject property. The waste materials would be placed in railcars and taken to this location, where the collected materials would be placed in the ground. At the present time, there is no directly observable evidence of this prior disposal practice.

o Known Contamination Problems in the Area: There are two confirmed contamination problems in the immediate site vicinity, both involving solvent contamination of the groundwater. Directly south of the main parcel and on the far side of Harrison Avenue is Barnetts Trailer Park, a mobile home complex that has contaminated private wells. The IEPA recently implemented a groundwater monitoring program to investigate this situation and to identify the source or sources of the problem. As part of this initial state investigation, two monitoring wells have been placed on the Borg-Warner property. Test results will not be available until early November. The second known problem involves Acme Solvent, a reclaiming facility that is located about 500 feet north of the northerly end of the subject property and on the opposite side of Twenty-Third Avenue. This abandoned facility

October 6, 1988  
Johnine J. Brown, Esquire  
Page Four

is under investigation by the IEPA; solvents have been found in the groundwater beneath this facility.

Given the potential variability in local groundwater flows, the subject property could be impacted by either or both of the above identified situations. Of particular concern is the contamination of the private wells of the nearby trailer park and the possibility of Borg-Warner's being identified as a potentially responsible party. At the present time, Borg-Warner is not under direct investigation by the IEPA in either of these matters.

We believe that each of the above described sources of concern represent potential sources of on-site contamination-related risk. None of these identified situations has been verified through analytical testing, however. Actual verification would require the implementation of a soils and/or groundwater monitoring program. The decision to implement such a program is dependent upon the buyer's and/or lender's respective assessment of the potential business risks involved, along with consideration of the various indemnification agreements, warranties, or representations that may exist between the parties to this transaction.

In lieu of any protective covenants, we believe that the subject property, including the undeveloped northerly parcel, poses certain contamination-related environmental risks and that a subsurface testing program should be considered.

In addition to the above described sources of concern, there are two other issues, which appear to be of lesser interest, though each certainly represents a potential future liability:

o Potential Presence of Asbestos: Along the southerly end of the manufacturing building is an office area. Our visual inspection of this section identified the presence of a cementitious-like tile located above the lowered ceiling. Additionally, we observed some asbestos pipe joints near the water intake pipes, which also are located near the office area. Although none of the potential ACM appeared to represent an immediate threat or risk, since no physical damage was observed, we do bring this potential matter to your attention.



October 6, 1988  
Johnine J. Brown, Esquire  
Page Five

o PCB and PCB-Contaminated Transformers: There are seventeen identified PCB or PCB-contaminated electrical transformers located within or outside (roof mounted) of the manufacturing building; in two instances, we identified minor oily stains by the transformers. Any transformer containing PCB cooling oils represents a source of potential concern, particularly in the event of a fire and/or explosion.

Evaluation of Potential Off-Site Contingent Liabilities

Our preliminary evaluation has identified two specific sources of potential off-site contingent liability relative to the former waste disposal practices of the subject facility:

o Potential Disposal on Adjacent Land: As part of the IEPA's investigation of the Barnett trailer park contamination problem, the agency reviewed some aerial photographs of the area. According to Greg Dunn of the IEPA, some unusual heavy equipment activity took place between 1958 and 1961 on the undeveloped land that lies directly east of the main Borg-Warner parking lot. Mr. Dunn speculates that this activity may be related to the dumping or landfilling of waste materials, though he has not been able to confirm it. Based upon the direction of the tire tracks, Mr. Dunn has concluded that the heavy construction equipment originated from the adjacent Borg-Warner property. Currently, this land in question is undeveloped and grass covered.

o Interstate Pollution Control: This commercial disposer apparently operated a disposal facility in Rockford. The site, which is located near Magnolia and Peoples Avenues, is a proposed federal Superfund site. The subject facility has used Interstate Pollution Control for the disposal of waste oil. At the present time, the investigation has not progressed to the point of identifying PRPs other than the former site operator, Interstate Pollution Control.

Our investigation of the prior off-site disposal practices of the subject facility has been limited to information obtained through interviews with selected former plant personnel, along with a review of several federal data bases. No actual documentation of the facility's disposal





October 6, 1988  
Johnine J. Brown, Esquire  
Page Six

practices, including the identification of specific disposal companies used, was available for review and analysis.

#### Other Environmental Issues

As part of our investigation, we also reviewed the subject facility for potential non-compliance issues or problems relative to air quality, water quality, hazardous wastes, underground storage tanks, asbestos, and PCBs. A summary of our findings is presented below.

##### Air Quality

The subject facility had numerous air emission sources, including a degreaser, tumble blasters, boilers, hardening furnaces, automatic machinery, and a plastic coating line.

On September 29, 1988, we reviewed the facility's file at the IEPA's regional office in Rockford. All major emission sources appear to have had valid operating permits. Copies of the most recent permits are contained in Exhibit B. We spoke to Robert Goldare of the IEPA's Air Pollution Control Division on September 29, 1988. He stated that he was unaware of any prior or currently outstanding enforcement actions or notices of violation related to the subject facility. Mr. Goldare was responsible for conducting annual inspections of the subject facility. According to Mr. Goldare, Borg-Warner Automotive, Inc. recently requested that the IEPA cancel all air operating permits for the Driveline plant since it was closed and would be sold. Therefore, a new owner will have to re-apply for new air permits should such permits be required.

##### Water Quality

The subject facility discharged non-contact cooling water to an on-site culvert that eventually discharges to the Rock River. Borg-Warner obtained an NPDES permit for this discharge in 1979, a copy of which is contained in Exhibit C. This permit expired in 1983. According to IEPA records in their Rockford regional office, the agency informed Borg-Warner of the need to renew their NPDES permit on September 12, 1986. Since the company was closing its plant and would not be discharging anymore, the agency decided to terminate

00017

October 6, 1988  
Johnine J. Brown, Esquire  
Page Seven

the permit, with no enforcement action or penalties involved. Copies of relevant IEPA correspondence are provided in Exhibit C, along with a copy of the original NPDES permit.

If your client intends to discharge wastewaters through this in-place discharge pipe, a new NPDES permit would be required. The exception would be roof drainage involving non-contaminated stormwater, which also discharges to the culvert through the formerly permitted outfall. According to Chuck Corley of the IEPA's Water Pollution Control Division in Rockford, such discharges would not require a permit at this time. We spoke to Mr. Corley on October 3, 1988. We note that there are PCB electrical transformers located on the roof of the manufacturing complex. These transformers are not sheltered; as a result, any PCB cooling fluid leaks would migrate onto the asphalt and pebble surface of the roof and would be captured in the roof runoff, a situation that would contaminate the stormwater. During the site inspection, we saw no observable evidence of leakage from these electrical transformers.

#### Hazardous Waste

The IEPA has classified the subject facility as a small quantity generator only. They hold EPA identification number ILD001795699. As there were no plant records available for review, we are unable to independently evaluate the extent to which the facility was in compliance with RCRA regulations.

On September 29, 1988, we visited the IEPA's Rockford District Office. We were unable to review the facility file without the approval of a Freedom of Information Request. Kerry Keller of the agency's Land Pollution Control Division did review an agency computer printout on outstanding violations and enforcement actions. He stated on September 29, 1988, that the Borg-Warner facility was not on the most recent version of the agency's list. On October 3, 1988, we spoke to Jack Holzer of the IEPA's Land Pollution Control Division in Rockford. Mr. Holzer conducted periodic inspections of the Borg-Warner plant prior to its closing. Mr. Holzer stated that he was unaware of any prior history of RCRA-related violations at the subject facility.

October 6, 1988  
Johnine J. Brown, Esquire  
Page Eight

During the on-site inspection of the subject facility, we did notice the presence of seventeen 55-gallon barrels of waste solvents located in the metal storage building that is situated at the northerly end of the plant property. None of the barrels were labeled with the accumulation date or type of wastes involved. This is a violation of RCRA regulations. The wastes probably have been in storage for two years, again a violation of RCRA regulations. We understand from Warren Cox that these wastes will be removed before the end of October. The above are minor infractions of RCRA regulations, but ones that should be corrected before taking possession of the property.

#### Underground Tanks

The subject facility had ten underground tanks, nine of which were registered with the state pursuant to Section 9002 of RCRA. The 10,000 gallon quench oil tank that still is in place was not registered. A copy of the UST registration is found as Attachment 1 of Exhibit A.

At the present time, there are four underground tanks present, one of which has been closed and covered by concrete (8,000 gallon quench oil tank). The remaining tanks include the 10,000 gallon quench oil tank, a 1,000 gallon concrete tank located by the chip pit, and a 1,700 gallon quench oil tank. The latter tank has been emptied and steam cleaned. The 10,000 gallon quench oil tank has been reportedly emptied though some residues may remain. The concrete tank was pumped out, but some stormwater may have accumulated within the tank since that time.

A new owner of the subject facility should have the 10,000 gallon quench oil tank registered pursuant to RCRA regulations. Alternatively, they could have Borg-Warner register the tank prior to the transfer. If the remaining underground tanks are to be used, they will be required to meet the new RCRA performance standards, which include periodic tank tightness testing. Potential liability issues related to underground tanks were previously discussed in regard to the evaluation of potential on-site contamination.

October 6, 1988  
Johnine J. Brown, Esquire  
Page Ten

There are no regulations in-place that require the removal of these transformers. The prospective owner may want to have them retrofilled, removed, or replaced in order to further reduce any potential, future liabilities. If not, the new owner will have to have these transformers visually inspected on a routine basis, with appropriate documentation of such activities maintained on-site.

#### Study Limitations

This report describes the results of our initial investigation to identify the potential presence of a significant contamination or environmental regulatory problem involving or affecting the subject property. The results of our investigation represent the application of a variety of engineering and technical disciplines to material facts and conditions associated with the subject property. Many of these facts and conditions are subject to change over time; accordingly, the conclusions and recommendations must be viewed within this context. We note that the investigative activities took place between September 29 and October 4, 1988, with the on-site inspection having been performed on September 29, 1988. IEPA records in the agency's Rockford regional office were reviewed on September 29, 1988 as well.

One should be aware of several major qualifications that are inherent in the conduct of this or any other environmental due diligence review. First, we have conducted our evaluation with a focus on major environmental regulatory issues; we have not investigated the subject facility in the level of detail associated with an EPA field inspection. Nonetheless, we believe that our level of analysis is consistent with the objectives of the parties to this transaction in terms of defining where the major issues of potential environmental liability exist. Second, it is difficult to predict which, if any, of the identified sources of potential concern will become actual problems in the future, for federal and state regulations continually change as do the enforcement priorities of the applicable governmental agencies involved. Third, even for problems currently identified, it is often difficult and sometimes impossible to accurately estimate the degree of business risk that these situation pose, for the legal and technological standards for evaluating, remedying,

October 6, 1988  
Johnine J. Brown, Esquire  
Page Eleven

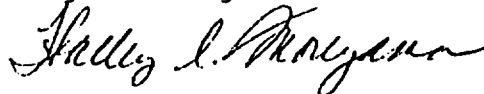
and allocating liability for certain issues such as hazardous waste contamination are still in the developmental stage. Moreover, remedying environmental problems tend to be highly dependent upon agency negotiations and the sometimes arbitrary and unpredictable nature of agency officials charged with such negotiations. Lastly, there always is the distinct possibility that major sources of future liability have yet to manifest themselves to the point where they are reasonably identifiable through an external investigation such as was conducted here.

Finally, we note that ENSR has performed this preliminary assessment in a professional manner using that degree of skill and care exercised for similar projects under similar conditions by reputable and competent environmental consultants. ENSR shall not be responsible for conditions or consequences arising from relevant facts that were concealed, withheld or not fully disclosed at the time the evaluation was performed.

Finally, we note that this preliminary assessment was prepared for the benefit of the Michael Landsman (and Superior Toy Company, Inc.), its lender, and their respective attorneys, including Rudnick & Wolfe. The information contained in this analysis, including exhibits thereto, may not be used by any other party without the express written consent of ENSR Consulting and Engineering.

If you any questions regarding our report or its findings, please feel free to call me at (508) 369-8910.

Sincerely,  
ENSR Consulting and  
Engineering



Halley I. Moriyama  
Senior Program Manager and  
Principal

Enclosures: Exhibits A, B, and C.

00022



Exhibit A  
Preliminary Hazardous Waste and Petroleum Hydrocarbon  
Site Assessment



EXHIBIT A  
PRELIMINARY HAZARDOUS WASTE AND PETROLEUM HYDROCARBON  
SITE ASSESSMENT

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PART I: SITE OWNERSHIP AND LOCATION

1. Site Owner:

- (a) Name: Borg-Warner Automotive, Inc.
- (b) Address: 2020 Harrison Avenue  
Rockford, IL 61108

2. Site Location References:

- (a) Address: 2020 Harrison Avenue  
Rockford, IL
- (b) County: Winnebago

3. Site Acreage: Approximately 24 acres for main site;  
additional 7-acre tract of land located to  
the north of main parcel also available.

4. Estimated % of Site Covered by Buildings and Pavement:  
Approximately 95% of main parcel is covered either by  
buildings and/or pavement; the adjacent northerly parcel is  
unimproved and is wholly grass-covered.

5. Summary Description of Current Site Usage: The main parcel  
contains a 356,400 s.f. manufacturing complex that currently  
is vacant. Until two years ago, the facility housed Borg-  
Warner's Driveline Division, which manufactured metal  
bearings, universal joints, slip joints, and other similar  
products for the off-road, heavy machinery market. The  
adjacent northerly parcel is unimproved.

PART II: SITE DESCRIPTION AND ENVIRONMENTAL CHARACTERIZATION

1. Description of Site (See Figure 1 for Site Plan)

- (a) Buildings/Site Layout: The irregular-shaped main  
parcel fronts along Harrison Avenue. The majority of  
this site is occupied by a one-story manufacturing  
complex that currently is vacant and unoccupied. This  
facility originally was constructed in 1937-38;  
numerous additions were built during later years.  
There are four out-buildings located on the main  
parcel: two guard houses and two storage buildings.

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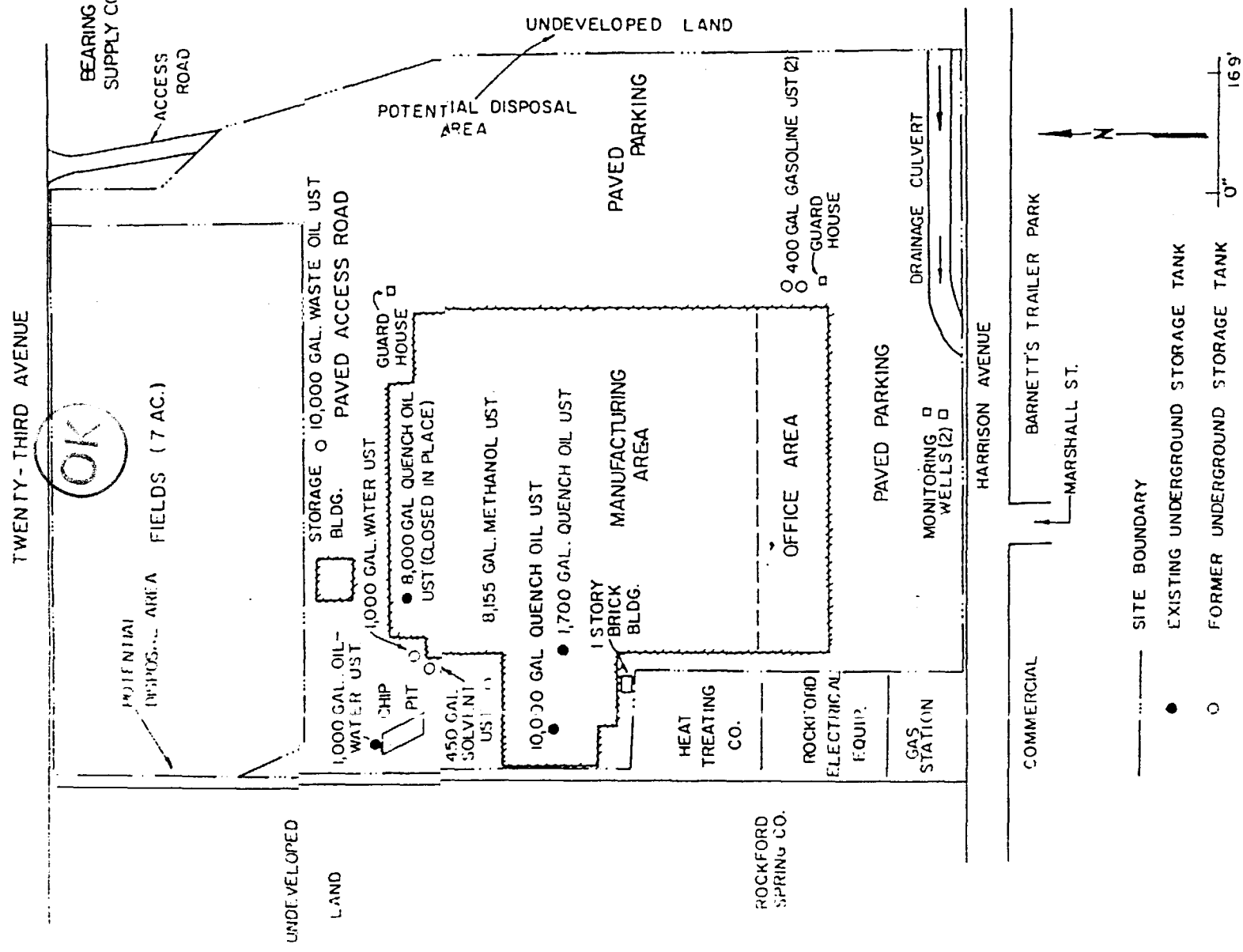


Figure 1 Site Plan

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- (b) **Utilities:** The subject facility is served by municipal sewer and water as well as natural gas and electricity.
- (c) **Electrical Transformers/Capacitors:** There are seventeen electrical transformers and switches located throughout the subject facility. According to Borg-Warner data, fourteen of these transformers and switches are considered PCB equipment (500 ppm or greater PCBs); the remaining three are considered PCB contaminated (50 to 499 ppm of PCBs). All seventeen electrical transformers and switches were observed to be properly labeled as either PCB or PCB-contaminated electrical equipment. A small stained area was observed beneath one PCB transformer located on the Mezzanine (Serial number B338589); the stained area encompassed approximately 4 square inches. The only other observed stained area around the transformers and switches involved the PCB transformer situated near the cone area (Serial number B338588); because of the proximity of this particular transformer to former facility operations that utilized various quench oils, it was not clear whether the observed staining around the transformer originated from the transformer or from the nearby manufacturing operations.
- (d) **Fencing:** The main parcel is secured by metal fencing; there is a 24-hour guard at the property at all times. The adjacent northerly parcel of land is unfenced.
- (e) **Topography and Slope:** The subject site is generally flat throughout, with minimal changes in elevation.
- (f) **Depth to Groundwater/Flow Direction:\*** Local groundwater appears to be a minimum of 50-65 feet below the ground surface; substantial water-bearing bedrock also is found throughout the area at depths of several hundred feet below the surface. The regional groundwater flow direction appears to be in a westerly direction, though this could range from northwesterly to southwesterly. IEPA officials contacted felt that the most probable flow direction in the vicinity of the Borg-Warner site may be towards the southwest.

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\* Unless otherwise noted, the groundwater flow direction has been inferred from a review of regional topographic data. Site specific conditions may vary due to a variety of factors, including geologic anomalies, utilities, nearby pumping wells (if present), and other developments.

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(g) Wetlands: None observed.

(h) Surface Water (including streams, rivers, ponds, etc.): There is a concrete lined drainage culvert located along the southeasterly corner of the main parcel. According to Warren Cox, former Maintenance Foreman at the subject facility, this culvert originally was a creek. Due to a major flood around 1967-68, the city enlarged the creek and created a concrete lined culvert to improve the flow. This drainage culvert flows in a westerly direction and eventually discharges to the Rock River, approximately three miles away. At the time of the site inspection, the majority of the culvert was dry; only a small, shallow pool of water was present. No unusual stains along the side of the concrete culvert were observed; the standing water appeared clear.

2. Site-Specific Waste/Wastewater Information:

(a) Catch Basins: There are several exterior catch basins located within paved areas of the subject parcel. From available information, it would appear that most discharge to the municipal sanitary system, though roof drains apparently discharge to the drainage culvert by way of an underground pipe. Because of the absence of detailed engineering drawings, we could not confirm the discharge point for each of the observed catch basins.

(b) Septic Tanks/Leaching Fields: None known.

(c) Sanitary Sewers: The subject facility is served by the municipal sanitary sewer system. According to local building permit records, the facility's hookup took place when the facility originally was constructed in 1937.

(d) Process Wastewater Sewers: None at present. When operational, the subject facility generated non-contact cooling water along with sanitary wastes. The non-contact cooling water was used to reduce the temperature of the various machining operations. This cooling water was discharged to the drainage culvert. The subject facility maintained an NPDES permit for this discharge (Permit IL0003883); this permit expired in 1984 and was not renewed.

(e) **Underground Tanks:** At the present time, there are four underground tanks still remaining at the subject facility; these are noted as follows:

- o 10,000 gallon quench oil tank located within a concrete vault inside of the subject facility. Its age is not known. According to Warren Cox, the tank was drained after the plant was closed; he suspects that there are several inches of oil and water still remaining within the tank. Access to this tank was not available at the time of the site inspection, though no unusual odors were observed to be emanating from the below ground vault. This particular tank is not shown on the facility's UST registration.
- o 1,000 gallon concrete tank located near the chip pit. This is a holding tank that was used to collect quench oil and stormwater collected within the chip pit. According to the UST registration, this tank was installed in 1982. It is not known whether any materials are still present in this tank, though it would appear that the tank probably contains some residual materials, principally in the form of stormwater. Access to this tank was not available at the time of the site inspection; the tank is situated beneath a manhole, with tank access being through the manhole.
- o 8,000 gallon quench oil tank located inside of the subject facility. According to Warren Cox, this tank was drained and closed in-place after the plant was closed. The tank's fillport is covered by concrete; therefore, access was not available. According to the UST registration, this steel tank was installed in 1979.
- o 1,700 gallon quench oil tank located inside of the manufacturing complex. This tank has an open top and has the appearance of a metal vat. The tank has been cleaned, with no liquids present. UST records indicate that this steel tank was installed in 1940.

According to the facility's UST registration, there were six other USTs present on-site, each of which is described as follows:

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- o Two 400 gallon gasoline tanks, both of which were situated near the guard house along the southeasterly side of the building. Registration data indicate that both tanks were made of steel and both were installed in 1966. According to Borg-Warner data, both tanks were removed in October 1986, with no indications of soil contamination. According to Roger Boyd of Rockford Powertrain (formerly known as Borg-Warner Automotive, Inc.), no soil testing was performed when these two tanks were removed. Mr. Boyd, who currently is the Manager of Safety and Security at Rockford Powertrain, formerly was responsible for certain environmental compliance activities at the subject facility. The site inspection revealed that the tank location is covered with sand, indicative of a tank removal.
- o 10,000 gallon used oil tank located along the northerly end of the main parcel. According to UST records, this steel tank was installed in 1981. Warren Cox reported that the tank was removed within the past year or so. Roger Boyd indicated that soil testing was performed and revealed that "trace amounts" of oil were found, though not visually observable. The site inspection revealed that the area around the tank location is covered with sand, indicative of a tank removal.
- o 450 gallon Stoddard solvent tank located along the northwesterly side of manufacturing building (outside). According to UST records, this steel tank was installed in 1977. Plant records indicate that this tank was removed in November 1986 with no observable contamination present. Roger Boyd indicated that no soil testing was performed at the time of the tank removal. The site inspection revealed that the area around this tank location is covered with sand, indicative of a tank removal.
- o 1,000 gallon water tank located by the above described Stoddard solvent tank. Both tanks were used in tandem as part of a steam cleaning operation. The collected residuals went into this concrete tank. UST records indicate that this tank was installed in 1977; plant records indicate that the tank was removed in November 1986 with no observable contamination

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present. Roger Boyd indicated that no soil testing was performed at the time of the tank removal. The site inspection revealed that the area around this tank location is covered with sand, indicative of a tank removal.

- o 8,155 gallon methanol tank located along the northwesterly side of manufacturing building (outdoors). UST registration data indicate that this steel tank was installed in 1983. Warren Cox indicated that this tank was removed a year or so ago, with no apparent problems. Roger Boyd indicated that soil testing performed around the tank did not result in the identification of any detected contamination. The site inspection revealed that this tank location is covered with sand, indicative of a tank removal.

This visual inspection of the subject property did not result in the identification of any other underground tanks on the property. No observable vent pipes or fill ports were seen. Warren Cox, who led the plant tour, also was unaware of the presence of any other underground tanks.

(f) Above Ground Tanks: None observed.

- (g) Lagoons, Pits, Other Disposal Areas: Along the northwesterly corner of the main parcel is a concrete-lined chip pit. This was used to store oil saturated metal wastes (filings, turnings, etc.). According to Warren Cox, about two boxcars of metal wastes were generated weekly. The wastes were stored in the pit and loaded onto railcars for transport to an off-site steel mill for resale. Residual oil and stormwater collected in the pit and both were removed periodically by Interstate Pollution Control of Rockford. Interstate would remove the residuals by pumping out an adjacent concrete tank. At the time of the site inspection, the chip pit appeared to contain only a few inches of stormwater; no oily sheen was observable. According to Roger Boyd, soils beneath the chip pit (pit is about 8-10 feet in depth) were tested by drilling through the one-foot thick concrete. Boyd reported that contamination was found, though he was unable to provide any specifics. We also understand through Mr. Boyd that the chip pit originally was not concrete lined, but that the current lining was installed around 1980; previously, the pit was earthen-lined. We note that quench oil and its residuals appear to be considered a special waste only. According to Jack

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Holzer of the IEPA (Land Pollution Control, Rockford District Office), residuals from the subject facility were tested at one time and were found to not contain any RCRA-related characteristics. Mr. Holzer periodically inspected the subject facility prior to its closing.

There are two other potential disposal areas which we have identified; one is located along the westerly side of the smaller, undeveloped Borg-Warner parcel while the other appears to be situated off-site and adjacent to the easterly side of the main parcel.

According to Jack Burtsch, former Plant Engineer at the subject facility (1958-1983), quench oil residuals and sludges were disposed of along the westerly side of the undeveloped northerly parcel. The materials were loaded onto rail cars and taken to this location where the wastes were then dumped. Mr. Burtsch stated that this practice was discontinued in the late 1950's. Presently, this particular section of the property is grass covered, with no observable signs of past disposal activity.

Finally, we understand through discussions with the IEPA that there is some possibility that the adjacent undeveloped land to the east (between the Borg-Warner parking lot and the off-site drainage culvert next to Suntech) was used at one time by Borg-Warner (and maybe others) for the disposal of unspecified wastes. According to Greg Dunn of the IEPA's Site Assessment group in Springfield, a review of aerial photographs shows that some undefined heavy equipment activity was taking place on this land between 1958 and 1961. Apparently, the photos show vehicle tracks originating from the Borg-Warner facility. Mr. Dunn could not be sure that the area in question was being used as a dump site, though he suspects that this may have been the case. At the present time, this area is grass covered, with no observable signs of prior dumping activity.

- (h) **Sub-Surface Drainage Lines:** Numerous sub-surface drainage lines appear to be present, most of which relate to exterior catch basins. There also is a subsurface drainage line to convey non-contact cooling water and roof drainage to the on-site drainage culvert.
- (i) **Sumps:** None known or observed.
- (j) **Ditches:** There is a concrete-lined drainage culvert located along the southeasterly corner of the main parcel. This was a creek at one time. The culvert

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flows in a westerly direction and eventually discharges to the Rock River. No unusual visual observations were made during the site inspection with regard to this ditch.

(k) Other: None.

**3. Evidence Regarding the Potential Presence of Asbestos Materials, including Readily Observable Physical Conditions:\***

The majority of the subject facility contains no insulating materials or covered beams. The one area where some ACM may be present is in the office section of the facility (southerly end of the building complex). Above the lowered ceiling tiles is a cementitious-like tile. These could be asbestos-containing, though this has not been confirmed through testing. All observable tiles appeared to be intact with no obvious damage present. A few pipe joints related to the facility's water intake piping located near the office area also appear to contain ACM; most appeared to be in reasonable condition, with no major damaged areas observed. Plant personnel interviewed have no knowledge of any asbestos survey having been conducted at the subject facility.

**4. Brief Description of Current Use in Terms of Products Made, Processes Used, Raw Materials Employed, and Wastes Generated:**

The subject facility has been closed for approximately two years. Prior to closing, the facility was occupied by the Driveline Division of Borg-Warner. The principal manufactured products included steel bearings, slip joints, universal joints, and metal drivelines (tubing). These products all were manufactured using very similar processes. In essence, the subject facility operated as a large machine shop. The principal raw material was steel that was manufactured elsewhere. The raw material was placed in machines that drilled, turned, and reamed the steel into the desired product. Then the formed product would be heat treated to harden the surfaces. After additional grinding, the product was assembled into a finished part. This latter step sometimes involved spot welding. Most of the finished

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\* Unless otherwise specified, a complete and detailed asbestos survey of the subject facility was not undertaken; additionally, no laboratory analysis of potential asbestos materials was conducted.

products were not painted within the subject facility; this typically was done by an outside contractor.

The manufacturing process generated two principal wastes: used quench oil (500 gallons/mo) and metal chips (two boxcar loads/week). The quench oil was taken off-site for recycling by Interstate Pollution Control. The metal chips were sold to a steel facility for resmelting. Manufacturing activities also used methanol (500 gallons/mo) in the heating treating process (methanol combined with nitrogen creates carbon in the steel) and Stoddard solvent for parts and steam cleaning (100 gallons/mo). No significant wastes emanated from either of the above two activities, for the methanol was converted to carbon and most of the Stoddard solvent volatilized into the air. Some waste Stoddard solvent (mixed with water) was generated from the limited steam cleaning operations. These wastes were collected in a concrete tank and taken for off-site disposal by Interstate Pollution Control. The subject facility also had a small metallurgical laboratory that contained small quantities of various chemicals, principally solvents.

The above description of the manufacturing process and estimates of wastes generated were provided by Warren Cox, former Maintenance Foreman at the subject facility. Mr. Cox served in this capacity from 1970 to 1986; presently, Mr. Cox serves as the on-site "custodian". We were unable to verify the waste volumes or disposal facilities used, for there were no manifests or related records available at the plant site.

5. Observations Concerning Waste Management Practices at the Subject Site:

(a) Date of Site/Facility Inspection : September 29, 1988

(b) Interior Facility Housekeeping:

**Process Areas:** Most manufacturing equipment has been removed from the plant site. Interior manufacturing areas were reasonably clean considering the age of the subject facility. Many areas of the plant have wood blocks placed above the concrete flooring. This was meant to provide a softer cushion for the production workers. These wood blocks were all observed to be oil-soaked.

**Raw Material Supply Areas:** Reasonably well maintained, with no observable problems.

**Waste Storage Areas (drums, pits, tanks):** Two specific areas were observed where a combination of drummed

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wastes and virgin chemicals are still present. Off the northwesterly side of the subject building is a one-story metal outbuilding. This storage building has a concrete floor. Within the building approximately eleven 55-gallon barrels of waste solvents were observed along with about seventeen 5-gallon plastic containers of acetone and choroethane. The latter materials were from the lab, according to Warren Cox. All of the metal and plastic containers appeared in reasonably good condition, with no observable signs of leaks or holes. Mr. Cox informed us that all of these materials will be removed from the site by the end of October. We noted that none of the eleven waste solvent barrels was properly labeled with the accumulation date or waste identification.

The second storage area observed was within the small outbuilding located along the southwesterly side of the manufacturing complex. This storage building had six 5-gallon plastic containers of lubricating oil that formerly was used for the furnaces. No unusual conditions were observed in the vicinity of these containers.

Other: None.

**(c) Exterior Facility Housekeeping:**

**Waste Storage Areas (drums, tanks, lagoons, pits, landfills):** None observed. See comments on page 6, item (g).

**Loading/Unloading Areas:** No unusual conditions observed; most areas appeared reasonably clean. One exception involved the area between the railroad spur and the chip pit. Some oil staining was observed in this area, a condition undoubtedly due to the fact that oily metal chips were transferred regularly from the concrete-lined pit to rail box cars for ultimate off-site re-sale.

**Tank Fill Locations:** No unusual conditions observed; most fill ports have either been removed or are covered by concrete.

Other: None.

**(d) Other Observations:**

**Discolored Soils:** Most areas of the site are paved over or covered by buildings. No major discoloration

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of uncovered areas was observed.

**Discolored Water:** None observed.

**Unusual Odors:** None observed.

**Unusual Vegetative Conditions:** None observed.

**Other Observations:** Two groundwater monitoring wells were observed to be present along the south central section of the main parcel, near Harrison Avenue. We learned that these monitoring wells were drilled to a depth of around 60-65 feet and were installed by the IEPA several months ago as part of their investigation of a groundwater solvent contamination problem involving a trailer park located across the street. Sampling results from these two monitoring wells will not be available until early November, according to Kerry Keller of the IEPA.

### PART III: SITE HISTORY AND DESCRIPTION OF SURROUNDING LAND USES

1. **Brief Description of Former Uses of Site, including Dates Where Known, and Other Relevant Information Concerning Waste Generation, Disposal, and Underground Tanks:**

The subject property was developed by Borg-Warner in 1937-38. At the time, the operating group was known as the Mechanics Universal Joint Division of Borg-Warner. The manufacturing facility continued to operate until the plant was closed in 1986. Prior to the late 1930's, the subject facility was in agricultural use.

The above described site history is based upon our review of local building permit records and available historic atlas maps of the area; specific references used are documented in Part VI of this exhibit.

2. **Current and Former Uses of Properties Within 100 Feet of Site, Including Relevant Information Concerning Potential Waste Generation and Underground Tanks:**

The subject property is situated within a largely industrial section of the City of Rockford. Located along the northerly side of Harrison Avenue, the subject property is bounded by Twenty-Third Street to the north, followed by several storage warehouses and light manufacturing concerns; undeveloped land and a metal bearing supply company to the northeast; undeveloped land followed by Suntech, an industrial pump manufacturer, to the east; Harrison Avenue to the south,



followed by a trailer park and strip commercial activities; a gasoline service station to the southwest; an electrical equipment manufacturer and a metal heat treating facility to the west; and, undeveloped land to the northwest. Most of these nearby facilities have been present since at least 1951; some date back to the 1930's. Most of the surrounding land formerly was in agricultural use or was undeveloped.

While we did not investigate the presence of underground tanks in the surrounding area, it is reasonable to assume that many of these facilities have such tanks. Most of these nearby land uses involve machine shop-type manufacturing activities; as a result, the probable wastes generated would be similar to those associated with the former use of the subject property.

3. **Brief Description of Other Potentially Significant Land Uses Currently Situated Within 250 Feet of Site:**

The only other potentially significant land use within the nearby area is Acme Solvent, a solvent reclaimer that formerly occupied a property that is located about 500 feet to the north of the undeveloped section of the subject property and on the opposite side of Twenty-Third Avenue. This abandoned property appears to have a potentially serious subsurface solvent contamination problem according to the IEPA. The site is being investigated by the agency at the present time; complete monitoring results are not yet available.

**PART IV: INVENTORY OF SENSITIVE RECEPTORS IN SITE VICINITY**

1. **Wells/Potable Drinking Water Supplies Within 1,000 Feet:** Most of the area located north of Harrison Avenue is served by municipal water; the area south of Harrison largely is not served by municipal water and is dependent upon private wells. There are no municipal wells located within 1,000 feet of the subject site. The nearest municipal wells are situated between 3000 and 4000 feet away. Well No. 35 is situated about 3,000 feet southwest of the subject property; this well is contaminated and is no longer in use. Well No. 6 is located about 3,500 feet northeast of the subject site and is in active use. Well No. 7 is situated about 4000 feet north northwest of the subject site. This well is no longer in service because the pumping equipment corroded and fell into the well hole.
2. **Residences Within 1,000 Feet:** There are residential areas located along the far side of Harrison Avenue, including Barretts trailer park which is situated directly across the street from the southerly end of the subject property.

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**3. Summary of Evidence Regarding Past or Present Regulatory Involvement with Respect to the Release or Threat of Release of Hazardous Material or Oil on or within 1000 feet of the Site:**

There are two known incidents that have taken place within the immediate site vicinity. Directly across Harrison Avenue from the subject site is Barnett's Trailer Park. This mobile home complex has its own private wells for potable water. According to the IEPA, these wells were reported as being contaminated with trichloroethene (TCE) at levels reported to be in the 5-10 parts per billion range. The IEPA is just now conducting an investigation of the problem and attempting to identify the source or sources of the solvent contamination. As part of this investigation, several monitoring wells have been installed in the area, including two on the Borg-Warner property. These wells were installed at the end of this summer and sampling took place about a month ago. According to the IEPA, test results will not be available until early November. The second known problem in the area involves Acme Solvents, a solvent reclaiming operation that formerly was located about 500 feet north of the northerly end of the Borg-Warner property (undeveloped section) and on the far side of Twenty-Third Avenue. According to the IEPA, this facility has been abandoned and recent testing has identified substantial solvents in the groundwater. The investigation of this abandoned site is continuing.

Our review of several recent U.S. EPA data bases did not result in the identification of any known contamination problems directly or indirectly related to the subject facility. In particular, the subject site is not listed on the CERCLIS data base, the NPL list, or on the CERCLA 103 (c) notifications.

**4. Summary of Evidence Regarding Regulatory Involvement with Respect to RCRA-regulated and Other Off-Site Disposal Sites Used by the Subject Facility:**

The three known commercial facilities used by the subject facility were reviewed with regard to several U.S. EPA data bases regarding problem sites (See Reference Section, Part VI). Interstate Pollution Control is the only identified facility with recorded problems. Interstate's former facility in Rockford is a proposed federal Superfund site. At this point, there is insufficient information available to ascertain whether or not Borg-Warner's Driveline plant would be implicated as a potentially responsible party in the event that Interstate Pollution is unable to fund any required cleanup.

00037

During our review of the U.S. EPA's PRP Data Base, we noted that a Borg-Warner facility located at 1200 Windsor Road, Rockford, IL was identified as a PRP at Pagel's Pit, a federal Superfund site located in Rockford. Roger Boyd, former environmental coordinator at the Driveline facility, stated on September 29, 1988 that he was unaware of any wastes having been shipped from the subject facility to the Windsor Road plant and that the subject facility is not part of the Pagel's Pit problem.

PART VI: REFERENCES

1. **Persons Performing the Site Investigation (name, title, responsibility):**

Halley I. Moriyama, Senior Program Manager and Principal:  
Site investigation, records research, and report preparation.

2. **Persons Interviewed (name, title, address, phone number):**

Warren Cox, former Maintenance Foreman at the Driveline Division, Borg-Warner, 2020 Harrison Avenue, Rockford, IL.  
ERT Personal Interview, September 29, 1988. (815-654-3120)

Roger Boyd, Manager of Safety and Security, Rockford Powertrain, Inc (formerly known as Borg Warner Automotive, Inc.), 1200 Windsor Road, Rockford, IL. ERT Personal Interview, September 29, 1988. (815-633-7460).

Jack Bertsch, former Plant Engineer at the Driveline Division, Borg-Warner, 2020 Harrison Avenue, Rockford, IL. ERT Telephone Interview, September 30, 1988. (815-399-4386)

Kerry Keller, Illinois Environmental Protection Agency, Land Pollution Control Division, Rockford District Office, 4302 N. Main Street, Rockford, IL. ERT Personal Interview, September 30, 1988. (815-987-7404)

Greg White, Illinois Environmental Protection Agency, Public Water Supply Division, Rockford District Office, 4302 N. Main Street, Rockford, IL. ERT Personal Interview, September 30, 1988. (815-987-7760).

Jack Holzer, Illinois Environmental Protection Agency, Land Pollution Control Division, Rockford District Office, 4302 N. Main Street, Rockford, IL. ERT Telephone Interview, October 3, 1988. (815-987-7404).

Chuck Corley, Illinois Environmental Protection Agency, Water Pollution Control Division, Rockford District Office, 4302 N.

00038

OK

Main Street, Rockford, IL. ERT Telephone Interview, October 3, 1988. (815-987-7755).

Robert Goldare, Illinois Environmental Protection Agency, Air Pollution Control Division, Rockford District Office, 4302 N. Main Street, Rockford, IL. ERT Personal Interview, September 30, 1988. (815-987-7750)

Greg Dunn, Illinois Environmental Protection Agency, Land Pollution Control Division, Churchill Road, Springfield, IL. ERT Telephone Interview, October 3, 1988. (217-782-6872)

### 3. Reports and Documents Reviewed:\*

U.S. Environmental Protection Agency, Office of Emergency and Remedial Response. "CERCLIS Data Base List," September 1988.

U.S. Environmental Protection Agency, Office of Emergency and Remedial Response. "Notification of Hazardous Wastes Sites Required Under Section 103 (c) of the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA) of 1980: EPA Region V," March 1982.

U.S. Environmental Protection Agency. "Preliminary Findings on the Identities of Potentially Responsible Parties," August 1988.

U.S. Environmental Protection Agency, Office of Emergency and Remedial Response. "National Priorities List Fact Book," June 1986; updated to 1988 (Federal Register, Volume 52, No. 140, July 22, 1987, "National Priorities List of Uncontrolled Hazardous Waste Sites;" Federal Register, Volume 53, No. 122, June 24, 1988, "National Priorities List for Uncontrolled Waste Sites, Update 7, Proposed Rule."

Illinois Environmental Protection Agency, Rockford District Office. Various files (Water Pollution Control, Air Pollution Control, Public Water Supplies; Land Pollution Control records were not available for public review).

City of Rockford, Building Department. Building permit records.

Borg-Warner. UST Registration and miscellaneous records on tank removals.

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\* We have examined and relied upon the reports and documents listed above which are based on the professional expertise or knowledge of the authors thereof. We have not conducted an independent examination of facts contained in these reference materials and have assumed that the information set forth therein is true and accurate.

00039

Arnold Lundgren & Associates, Inc. "Land Title Survey for Borg Warner," prepared August 29, 1988.

Rockford Map Company. "Plat Book of the City of Rockford, Illinois," 1912.

Sanborn Map Company. "Fire Insurance Map of the City of Rockford, Illinois," 1913, updated to 1930; and, 1951, updated to 1966.

Derr Map Studio. "Atlas of Winnebago County, Illinois," 1947.

McCoy Directory Company. "McCoys Rockford City Directory," 1911, 1923, 1928, 1933, 1937, and 1938.

PART VII: SUMMARY OF INITIAL FINDINGS AND RECOMMENDATIONS\*

1. Major Findings of the Inspection and Background Research, Including any Limitations Thereto:

The subject site consists of two parcels, a 24-acre section that contains a closed 356,400 square foot manufacturing complex and an adjacent 7-acre tract of land that is undeveloped. These two parcels of land are situated between Harrison and Twenty-Third Avenues in the City of Rockford. The properties are located within an industrialized section of the city, though some residential dwellings, including mobil homes, are situated directly across Harrison Avenue and opposite the subject property.

The main parcel was developed around 1937-38 by the present owner, Borg-Warner, as a universal joint manufacturing plant. This manufacturing activity continued until 1986 when the plant was closed; most of the manufacturing equipment has since been removed from the premises. Prior to the late 1930's, the subject property was in agricultural use.

The former manufacturing activities at the subject facility

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\* Unless specified to the contrary, this preliminary evaluation does not include consideration of urea formaldehyde or radon gas. Such material, if present, normally cannot be identified without the use of special instruments or testing procedures. Additionally, the conclusions and opinions rendered herein are based solely upon the activities described in this Exhibit. Except as otherwise noted under Part VII, Item 3, no analytical testing of soils or groundwater was performed as part of this initial site investigation.

00040

principally involved large-scale machining operations, involving the grinding, turning, hardening, and welding of steel into finished parts. The principal wastes generated by this process were metal filings/chips, used quenching oil, and small quantities of solvents. There were no plating or painting operations involved. According to plant personnel interviewed, most of the solid and liquid wastes were taken off-site for eventual disposal. We understand, however, that prior to the 1950's, certain of these wastes, principally used oily sludges and oily metal chips were disposed of on-site along the westerly side of the northern parcel of the subject site. The visual observations of this particular section of the property did not result in the identification of any observable signs of these purported disposal practices. The area in question now is largely grass covered.

The visual inspection of the subject property did not result in any direct observations indicative of a significant contamination problem. However, our preliminary investigation did result in the identification of several features or conditions that represent sources of potential concern, in our opinion. These are individually discussed below.

o Underground Tanks: Presently, there are four underground tanks present on the subject site; an additional six underground tanks were removed by Borg-Warner during the past two years. The four remaining tanks are not of particular concern, principally because they are either relatively new or, in the case of one tank, is located within a concrete vault. The one older remaining tank (1,700 gallon quench oil tank which was installed within the manufacturing building in 1940) really is more of an open top vat rather than an underground tank. The vat appears to rest on concrete and all contents have been removed, with the interior of the metal container having been steamed cleaned. Our major reservation involves the six tanks that were removed and the subsurface conditions around these particular tanks. We understand that soil testing was performed when certain of these tanks were removed; in some cases, no testing was conducted. At the time of the preparation of this report, no testing data was available to us for review, though we understand that "some" contamination was found in relationship to the removal of the 10,000 gallon used oil tank.

o Chip Pit: Along the northwesterly side of the main parcel is a concrete lined pit that formerly was used to temporarily store oily metal chips prior to off-site disposal. Oily residues and stormwater collected within the pit; periodically, these materials were pumped out by a commercial disposal company, Interstate Pollution Control. We understand that prior to 1980, this pit was not concrete



lined. Therefore, the potential for the presence of a subsurface contamination problem is substantial, in our opinion. Whether such contamination, if present, has entered the water table would be an additional source of concern. Although the oily residues may not be classified as a hazardous waste, they probably are considered a special waste; as such, any related contamination would constitute a source of potential concern.

o Prior On-Site Disposal Practices: Through an interview conducted with a past employee of the subject plant, we learned that prior the 1950's, it was a standard practice to dispose of the oily sludges along the westerly side of the undeveloped northern tract of the subject property. The waste materials would be placed in railcars and taken to this location, where the collected materials would be placed in the ground. At the present time, there is no directly observable evidence of this prior disposal practice.

o Known Contamination Problems in the Area: There are two confirmed contamination problems in the immediate site vicinity, both involving solvent contamination of the groundwater. Directly south of the main parcel and on the far side of Harrison Avenue is Barnetts Trailer Park, a mobil home complex that has contaminated private wells. The IEPA recently implemented a groundwater monitoring program to investigate this situation and to identify the source or sources of the problem. As part of this initial state investigation, two monitoring wells have been placed on the Borg-Warner property. Test results will not be available until early November. The second known problem involves Acme Solvent, a reclaiming facility that is located about 500 feet north of the northerly end of the subject property and on the opposite side of Twenty-Third Avenue. This abandoned facility is under investigation by the IEPA; solvents have been found in the groundwater beneath this facility. Given the potential variability in local groundwater flows, the subject property could be impacted by either or both of the above identified situations. Of particular concern is the contamination of the private wells of the nearby trailer park and the possibility of Borg-Warner being identified as a potentially responsible party.

In addition to the above described sources of potential concern, there are two other issues, which appear to be of lesser interest, though each certainly represents a source of potential liability. Each is described as follows:

o Potential Presence of Asbestos: Along the southerly end of the manufacturing building is an office area. Our visual inspection of this section identified the presence of a

00042

cementitious-like tile located above the lowered ceiling. Additionally, we observed some asbestos pipe joints near the water intake pipes, which also are located near the office area. Although none of the potential ACM appeared to represent an immediate threat or risk, since no physical damage was observed, we do bring this to your attention.

o PCB and PCB-Contaminated Transformers: There are seventeen identified PCB or PCB-contaminated electrical transformers located within or outside (roof mounted) of the manufacturing building; in two instances, we identified minor oily stains by the transformers. Any transformer containing PCB cooling oils represents a source of potential concern, particularly in the event of a fire and/or explosion.

2. **Preliminary Opinion Regarding the Potential Presence of a Significant Hazardous Waste Release, including the Identification of the Potential Risks Involved and Any Limitations Thereto:**

We believe that each of the above described sources of potential concern represent sources of contamination-related risk. None of these identified sources of possible concern has been verified through analytical testing, however.

3. **Preliminary Opinion Regarding Potential Off-Site Hazardous Waste Liabilities Associated with Known Facility Disposal Practices, including any Limitations Thereto:**

Our preliminary evaluation has identified two specific sources of potential off-site contingent liability relative to the former waste disposal practices of the subject facility:

o Potential Disposal on Adjacent Land: As part of the IEPA's investigation of the Barnett trailer park contamination problem, the agency reviewed some aerial photographs of the area. According to Greg Dunn of the IEPA, some unusual heavy equipment activity took place between 1958 and 1961 on the undeveloped land that lies directly east of the main Borg-Warner parking lot. Mr. Dunn speculates that this activity may be related to the dumping or landfilling of waste materials, though he has not been able to confirm it. Based upon the direction of the tire tracks, Mr. Dunn has concluded that the heavy construction equipment originated from the adjacent Borg-Warner property. Currently, this land in question is undeveloped and grass covered.

o Interstate Pollution Control: This commercial disposer apparently operated a disposal facility in Rockford.

00043

The site, which is located near Magnolia and Peoples Avenues, is a proposed federal Superfund site. The subject facility has used Interstate Pollution Control for the disposal of waste oil. At the present time, the investigation has not progressed to the point of identifying PRPs other than the former site operator, Interstate Pollution Control.

Our investigation of the prior off-site disposal practices of the subject facility has been limited to information obtained through interviews with selected former plant personnel, along with a review of several federal data bases. No actual documentation of the facility's disposal practices, including the identification of specific disposal companies used, was available for review and analysis.

4. Recommendations, if any, for Field Sampling/Testing, Including Rationale (if sampling/testing conducted, attach test results along with a description of sample locations and methodology):

Although no direct and verified on-site contamination problems was identified during this preliminary assessment, several identified sources of potential on- and off-site concern were identified. Actual verification of these potential sources of contamination-related problems would require the implementation of a soils and/or groundwater monitoring program. The decision to implement such a program is dependant upon the buyer's and/or lender's respective assessment of the potential business risks involved, along with consideration of the various indemnification agreements, warranties, or representations that may exist between the parties to this transaction.

In lieu of any protective covenants, we believe that the subject property, including the undeveloped northerly parcel, poses certain environmental risks and that a subsurface testing program should be considered assuming that the potential business risks are not acceptable.

By: Halley I. Moriyama

Title: Senior Program Manager and Principal

Date: October 5, 1988

00044

**ENSR**

Attachment 1  
UST Registration and Other Related Data

00045

FILE COPY

## Notification of Underground Storage Tanks

Underground Storage Tank Coordinator  
 Division of Fire Prevention, Office of State Fire Marshal  
 3150 Executive Park Drive  
 Springfield, Illinois 62703-4599

STATE USE ONLY

I.D. Number

Date Received

## GENERAL INFORMATION

Notification is required by Federal law for all underground tanks that have been used to store regulated substances since January 1, 1974, that are in the ground as of May 8, 1986, or that are brought into use after May 8, 1986. The information requested is required by Section 9002 of the Resource Conservation and Recovery Act, (RCRA), as amended.

The primary purpose of this notification program is to locate and evaluate underground tanks that store or have stored petroleum or hazardous substances. It is expected that the information you provide will be based on reasonably available records, or, in the absence of such records, your knowledge, belief, or recollection.

Who Must Notify? Section 9002 of RCRA, as amended, requires that, unless exempted, owners of underground tanks that store regulated substances must notify designated State or local agencies of the existence of their tanks. Owner means—

(a) in the case of an underground storage tank in use on November 8, 1984, or brought into use after that date, any person who owns an underground storage tank used for the storage, use, or dispensing of regulated substances; and

(b) in the case of any underground storage tank in use before November 8, 1984, but no longer in use on that date, any person who owned such tank immediately before the discontinuation of its use.

What Tanks Are Included? Underground storage tank is defined as any one or combination of tanks that (1) is used to contain an accumulation of "regulated substances," and (2) whose volume (including connected underground piping) is 10% or more beneath the ground. Some examples are underground tanks storing: 1. gasoline, used oil, or diesel fuel, and 2. industrial solvents, pesticides, herbicides or fumigants.

What Tanks Are Excluded? Tanks removed from the ground are not subject to notification. Other tanks excluded from notification are:

1. farm or residential tanks of 1,100 gallons or less capacity used for storing motor fuel for noncommercial purposes;
2. tanks used for storing heating oil for consumptive use on the premises where stored;
3. septic tanks;

4. pipeline facilities (including gathering lines) regulated under the Natural Gas Pipeline Safety Act of 1968, or the Hazardous Liquid Pipeline Safety Act of 1979, or which is an intrastate pipeline facility regulated under State laws;

5. surface impoundments, pits, ponds, or lagoons;

6. storm water or waste water collection systems;

7. flow-through process tanks;

8. liquid traps or associated gathering lines directly related to oil or gas production and gathering operations;

9. storage tanks situated in an underground area (such as a basement, cellar, mine-working, drift, shaft, or tunnel) if the storage tank is situated upon or above the surface of the floor.

What Substances Are Covered? The notification requirements apply to underground storage tanks that contain regulated substances. This includes any substance defined as hazardous in section 101 (14) of the Comprehensive Environmental Response, Compensation and Liability Act of 1980 (CERCLA), with the exception of those substances regulated as hazardous waste under Subtitle C of RCRA. It also includes petroleum, e.g., crude oil or any fraction thereof which is liquid at standard conditions of temperature and pressure (60 degrees Fahrenheit and 14.7 pounds per square inch absolute).

Where To Notify? Completed notification forms should be sent to the address given at the top of this page.

When To Notify? 1. Owners of underground storage tanks in use or that have been taken out of operation after January 1, 1974, but still in the ground, must notify by May 8, 1986. 2. Owners who bring underground storage tanks into use after May 8, 1986, must notify within 30 days of bringing the tanks into use.

Penalties: Any owner who knowingly fails to notify or submits false information shall be subject to a civil penalty not to exceed \$10,000 for each tank for which notification is not given or for which false information is submitted.

Please type or print in ink all items except "signature" in Section V. This form must be completed for each location containing underground storage tanks. If more than 5 tanks are owned at this location, photocopy the reverse side, and staple continuation sheets to this form.

Indicate number of continuation sheets attached

1

Owner Name (Corporation, Individual, Public Agency, or Other Entity)

Org-Warner Automotive, Inc.

Street Address

200 Windsor Road

County

Winnebago

City

Rockford

State

Illinois

ZIP Code

61125-7007

Area Code

815

Phone Number

633-7460

Type of Owner (Mark all that apply ☐)

☒ Current

☐

State or Local Gov't

☒

Private or Corporate

☐ Former

☐

Federal Gov't (GSA facility I.D. no.)

☐

Ownership uncertain

(If same as Section 1, mark box here ☐)

Facility Name or Company Site Identifier, as applicable

Harrison Plant

Street Address or State Road, as applicable

2020 Harrison Avenue

County

Winnebago

City (nearest)

Rockford

State

Illinois

ZIP Code

61108

Indicate number of tanks at this location

9

Mark box here if tank(s) are located on land within an Indian reservation or on other Indian trust lands ☐

Name (If same as Section I, mark box here ☐)

Curran Cox

Job Title

Maintenance Supervisor

Area Code

815

Phone Number

633-7460

☐ Mark box here only if this is an amended or subsequent notification for this location.

I certify under penalty of law that I have personally examined and am familiar with the information submitted in this and all attached documents, and that based on my inquiry of those individuals primarily responsible for obtaining the information, I believe that the submitted information is true, accurate and complete.

00046

Name and official title of owner or owner's authorized representative

James E. Freed, Mgr. of Manufacturing Oper.

Signature

James E. Freed

Date Signed

May 7, 1986

UNDESIGNED OR FOR THE DESIGN OF A STANDSTILL (Complete for each tank at this location)

Identification No. (e.g., ABC-123), or Originally Assigned Sequential Number (e.g., 1,2,3...)	Tank No. <del>1</del>	Tank No. <del>2</del>	Tank No. 3	Tank No. <del>4</del>	Tank No. <del>5</del>
<b>Status of Tank</b> (Mark all that apply) <div>                         Currently in Use <input checked="" type="checkbox"/>                         Temporarily Out of Use <input type="checkbox"/>                         Permanently Out of Use <input type="checkbox"/>                         Brought into Use after 5/8/86 <input type="checkbox"/> </div>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Estimated Age (Years)	20	20	5	9	7
Estimated Total Capacity (Gallons)	400	400	10,000	450	8000
<b>Material of Construction</b> (Mark one) <div>                         Steel <input checked="" type="checkbox"/>                         Concrete <input type="checkbox"/>                         Fiberglass Reinforced Plastic <input type="checkbox"/>                         Unknown <input type="checkbox"/>                         Other, Please Specify _____                     </div>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
<b>Internal Protection</b> (Mark all that apply) <div>                         Cathodic Protection <input type="checkbox"/>                         Interior Lining (e.g., epoxy resins) <input type="checkbox"/>                         None <input type="checkbox"/>                         Unknown <input checked="" type="checkbox"/>                         Other, Please Specify _____                     </div>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>External Protection</b> (Mark all that apply) <div>                         Cathodic Protection <input type="checkbox"/>                         Painted (e.g., asphaltic) <input type="checkbox"/>                         Fiberglass Reinforced Plastic Coated <input type="checkbox"/>                         None <input type="checkbox"/>                         Unknown <input checked="" type="checkbox"/>                         Other, Please Specify _____                     </div>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Piping</b> (Mark all that apply) <div>                         Bare Steel <input type="checkbox"/>                         Galvanized Steel <input type="checkbox"/>                         Fiberglass Reinforced Plastic <input type="checkbox"/>                         Cathodically Protected <input type="checkbox"/>                         Unknown <input checked="" type="checkbox"/>                         Other, Please Specify _____                     </div>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>Substance Currently or Last Stored</b> In Greatest Quantity by Volume (Mark all that apply) <div>                         a. Empty <input type="checkbox"/>                         b. Petroleum                         <div>                             Diesel <input type="checkbox"/>                             Kerosene <input type="checkbox"/>                             Gasoline (including alcohol blends) <input checked="" type="checkbox"/>                             Used Oil <input type="checkbox"/>                             Other, Please Specify _____                         </div>                         c. Hazardous Substance <input type="checkbox"/> </div>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Please Indicate Name of Principal CERCLA Substance OR Chemical Abstract Service (CAS) No. Mark box <input type="checkbox"/> if tank stores a mixture of substances d. Unknown <input type="checkbox"/>				Stoddard	Oil
<b>Additional Information (for tanks permanently                      taken out of service)</b> <div>                         a. Estimated date last used (mo/yr) _____                         b. Estimated quantity of substance remaining (gal.) _____                         c. Mark box <input type="checkbox"/> if tank was filled with inert material                          (e.g., sand, concrete) <input type="checkbox"/> </div>	60047				

U. S. Government Printing Office: 1984—496.733

LOG  
UNDERGROUND STORAGE TANK  
REMOVALS

DATE: 10/10/86 TIME: 12:00 a.m.

NAME OF FACILITY Borg-Warner Automotive, Inc.

2020 Harrison Ave. Rockford, IL 61125-7007  
Street City Zip

Winnebago (815) 633-7460  
County Phone #

NAME OF OWNER Borg-Warner Automotive, Inc.

2020 Harrison Ave Rockford 61125-7007  
Street City Zip

Winnebago (815) 633-7460  
County Phone #

REPORTING PERSON Roger L. Boyd

1200 Windsor Rd. Rockford 61125-7007 (815) 633-7460  
Street City Zip Phone #

Number of Tanks Removed 400 Gal. Tanks

Size of Tanks \_\_\_\_\_ M \_\_\_\_\_ M \_\_\_\_\_ M \_\_\_\_\_ M

400 gal. \_\_\_\_\_ M \_\_\_\_\_ M \_\_\_\_\_ M \_\_\_\_\_ M

\_\_\_\_\_ M \_\_\_\_\_ M \_\_\_\_\_ M \_\_\_\_\_ M

Are tanks being replaced? Yes \_\_\_\_\_ No X

Will this property be used as a service station?

Yes \_\_\_\_\_ No X

If No, What is the usage? Manufacturing

Additional Information and Notes: Tanks removed

were removed and as listed on the May, 1986 underground

storage tank notification form. Both tanks were in tact  
and no visual or odor characteristics to suspect  
otherwise.

REVISED 8/86

cc: G. R. Harting

J. E. Freed

B. Shirley

00049



LOG  
UNDERGROUND STORAGE TANK  
REMOVALS

DATE: 11/26/86 TIME: 3:00 p.m.

NAME OF FACILITY Borg-Warner Automotive, Inc.

2020 Harrison Ave. Rockford IL 61125-7007  
Street City Zip

Winnebago (815) 633-7460  
County Phone

NAME OF OWNER Borg-Warner Automotive, Inc.

2020 Harrison Ave. Rockford IL 61125-7007  
Street City Zip

Winnebago (815) 633-7460  
County Phone

REPORTING PERSON Roger Boyd

1200 Windsor Rd. Rockford 61125-7007 (815) 633-7460  
Street City Zip Phone

Number of Tanks REMOVED

Size of Tanks \_\_\_\_\_ M \_\_\_\_\_ M \_\_\_\_\_ M \_\_\_\_\_ M

450 gal. \_\_\_\_\_ M \_\_\_\_\_ M \_\_\_\_\_ M \_\_\_\_\_ M

1000 gal. \_\_\_\_\_ M \_\_\_\_\_ M \_\_\_\_\_ M \_\_\_\_\_ M

Are tanks being replaced? Yes \_\_\_\_\_ No X

Will this property be used as a service station?

Yes \_\_\_\_\_ No X

If No, What is the usage? Manufacturing

Additional Information and Notes: Tanks removed were  
#4 & #6 as listed on the May, 1986 underground storage  
tank notification form. Both tanks were in tact and  
no visual or odor to suspect otherwise.

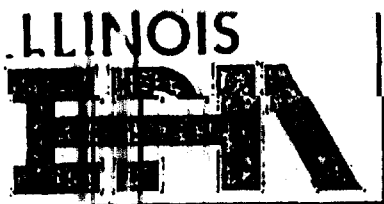
REVISED 8/86

00050

**ENSR**

**Exhibit B  
Air Quality**

**00051**



# Environmental Protection Agency

2200 Churchill Road, Springfield, Illinois 62706

217/782-2113

CERTIFIED MAIL

PERMIT NOT REQUIRED

Application No.:	81020014
I.D. No.:	201030ACQ
Applicant's Designation:	S33
Received:	February 6, 1981
Construction/Operation of:	Plastimatic Coating
Location:	2020 Harrison Avenue, Rockford, Illinois

RECEIVED  
REGION 1 DAPC  
FEB - 9 1981  
Environmental Protection Agency  
State of Illinois

February 27, 1981

Borg-Warner Corporation  
Rockford Division  
2020 Harrison Avenue  
Rockford, Illinois 61108

Attention: J. E. Freed

Gentlemen:

A review of the permit application referenced above for construction of cold cleaning operation indicates that this project does not require a permit pursuant to Rule 103(i) of the Illinois Pollution Control Board Rules and Regulations, Chapter 2: Air Pollution. This determination is based upon the information submitted to the Agency at this time. The Agency acknowledges that your equipment conforms with all the requirements of Rules 205(k)(2)(A) and 205(k)(3)(A). By meeting the requirements of 205(k), your cold cleaner is exempt of a permit as provided in 103(i)(22). Your application is being returned with this letter.

If you have any questions or need any assistance regarding this matter, please contact Paul Pursaglove at 217/782-2113.

Very truly yours,

*B. M. Hays*  
B. M. Hays, F.E.P.  
Regional Permit Section  
Division of Air Pollution Control

DATE: 03/27/81 PMP 3/4/81

cc: Region 1 file

00052

Facility

~~Aluminum~~ ~~Chromium~~

I.D.

201 030 ACQ

Anal. Eng.

PMP

Date

02 24 81

PN

81.0.2 0014

Rev. Eng.

Date

Date Rec.

02 06 81

As requested per phone conversation additional information has been sent by applicant. This is a ~~for~~ application to construct a plasticating coating line. Metal parts are dipped in cold cleaning tank, then dipped in primer (< 5000 gallons total facility), heated in an electric oven then rolled in same sort of plastic that melts to metal.

Rule 10.3(i)(7) exempts paint tanks from permit

Cold cleaning tank emissions 2 lb/hr  
 8 lb/day = 16 lb/day emissions HC

No permit required for cold cleaner per phone conversation. The unit meets all equipment requirements

Send letter noting no permit required

00053



PAGE 2

ID NUMBER: 201030ACW

APPLICATION NO.: 73100060

023	01	MAKEUP AIR UNIT 2
024	01	MAKEUP AIR UNIT 3
025	01	TANK T-1 2000 GAL
026	01	TANK T-2 10000 GAL OIL (NEE EMISSIONS)
027	01	TANK T-3 10000 GAL OIL (NEE EMISSIONS)
028	02	CONC. AUTOMATIC MACHINES
028 - C28		GRAVITY COLLECTOR & MIST ELIMINATOR
029	02	CONC. AUTOMATIC MACHINES
029 - C29		GRAVITY COLLECTOR & MIST ELIMINATOR
030	02	CONC. AUTOMATIC MACHINES
030 - C30		GRAVITY COLLECTOR & MIST ELIMINATOR
031	02	CONC. AUTOMATIC MACHINES
031 - C31		GRAVITY COLLECTOR & MIST ELIMINATOR
032	02	CONC. AUTOMATIC MACHINES
032 - C32		GRAVITY COLLECTOR & MIST ELIMINATOR
033	02	CONC. AUTOMATIC MACHINES
033 - C33		GRAVITY COLLECTOR & MIST ELIMINATOR
034	02	CONC. AUTOMATIC MACHINES
034 - C34		GRAVITY COLLECTOR & MIST ELIMINATOR

IF YOUR OPERATION:

1) HAS BEEN MODIFIED;

2) HAS CHANGED FROM THE DESCRIPTION FILED WITH THE AGENCY; OR

3) INCLUDES EMISSION SOURCES OR CONTROL EQUIPMENT DIFFERENT

FROM THAT WHICH IS GIVEN ABOVE;

THE FOLLOWING YOUR OPERATING PERMIT YOU MUST COMPLETE THE APPROPRIATE FORMS AND INCLUDE "REQUEST FOR PERMIT FORS" APPLICATION AND APPLY FOR PERMIT UNDER APC 206 FORM.

IF THE PERMIT HAS BEEN DISCONTINUED OR PREVIOUSLY EXPIRED, PLEASE ATTACH A LETTER TO THE AGENCY REQUESTING THE PERMIT.

I CERTIFY THAT THE ORIGINAL APPLICATION INFORMATION REMAINS TRUE, CORRECT, & A CORRECT AND THAT I AM AUTHORIZED TO EXECUTE THIS APPLICATION FOR PERMITTING.

*Brian W. Shirley*

January 23, 1984

Brian W. Shirley, Manager, Manufacturing Engineering & Facilities

00055

IR NUMBER 201030ACW

APPLICATION NO.: 74100060

-----FOR AGENCY USE ONLY-----

PERMIT EXPIRATION DATE: January 26, 1989

PERMIT IS GRANTED TO OPERATE THE ABOVE REFERENCED EQUIPMENT SUBJECT TO STANDARD CONDITIONS ATTACHED HERETO AND ANY SPECIAL CONDITIONS OF THE PREVIOUSLY GRANTED OPERATING PERMIT.

B. Mathewice  
DIRECTOR, P.E.  
PERMIT SECTION  
DIVISION OF AIR POLLUTION CONTROL

CC: REGION 205

00056



## APPLICATION FOR OPERATING PERMIT RENEWAL 217/782-2113

MARCH 31, 1985

BORG-WARNER CORP.  
ATTENTION: JAMES FRIED  
2020 HARRISON AVE  
ROCKFORD

IL 61101

RECEIVED

MAR 9 6 1985

IEPA-DAPC-SPFLD

APPLICATION NO: 80060010  
TO NUMBER: 291930ACD  
OPERATION OF: VAPOR DEGLASER 4-3-32  
LOCATION: BORG-WARNER CORP-DRIVELINE PLANT  
2020 HARRISON AVE ROCKFORD IL 61101

THE ABOVE REFERENCED OPERATING PERMIT WILL EXPIRE ON JULY 11, 1985.  
THE AGENCY RECOMMENDS THAT YOU APPLY FOR A RENEWAL OF THIS OPERATING  
PERMIT AT LEAST NINETY (90) DAYS PRIOR TO ITS EXPIRATION.

IF YOUR OPERATION IS UNCHANGED, YOU MAY RENEW YOUR PERMIT BY SIGNING IN  
THE SPACE PROVIDED, KEEPING ONE COPY FOR YOUR RECORDS, AND RETURNING THIS  
COPY TO THE AGENCY. WHEN DATED AND SIGNED BY THE AGENCY THIS  
APPLICATION WILL BE YOUR PERMIT AND WILL BE RETURNED TO YOU.

THE AGENCY'S RECORDS INDICATE THAT THIS APPLICATION INCLUDES THE  
FOLLOWING LIST OF SOURCES AND CORRESPONDING CONTROL EQUIPMENT (IF ANY):

ONE SOURCE: VAPOR DEGLASER 4-3-32

IF YOUR OPERATION:

- 1) HAS BEEN CHANGED; OR
- 2) HAS CHANGED FROM THE DESCRIPTION FILED WITH THE AGENCY; OR
- 3) INCLUDES A LIST OF SOURCES OR CONTROL EQUIPMENT DIFFERENT  
FROM THAT WHICH IS LISTED ABOVE;

THEN IN ORDER TO RENEW YOUR OPERATING PERMIT YOU MUST COMPLETE THE APPROPRIATE  
FORMS (SEE ENCLOSED "REQUEST FOR PERMIT FORMS" APC200) AND APPLY FOR A  
RENEWAL WITH AN APC 200 FORM.

IF THE OPERATION HAS BEEN PERMANENTLY DISCONTINUED OR PREVIOUSLY  
DISCONTINUED TO AVOID A PERMIT, PLEASE ATTACH A LETTER TO THE AGENCY  
DISCONTINUING THIS PERMIT.

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MAR 14 1985

Illinois Environmental Protection Agency  
State of Illinois

00057



PAGE 2

FILE NUMBER: 201030AC9

APPLICATION NO.: 80060010

I CERTIFY THAT THE ORIGINAL APPLICATION INFORMATION REMAINS TRUE, CORRECT, AND CURRENT AND THAT I AM AUTHORIZED TO EXECUTE THIS APPLICATION FOR PERMIT RENEWAL.

SIGNATURE

DATE

Brian W. Shirley  
BRIAN W. SHIRLEY, MANAGER MANUFACTURING ENG. & FACILITIES

3/5/85

FOR AGENCY USE ONLY

PERMIT EXPIRATION DATE: March 6, 1990

PERMIT IS GRANTED TO OPERATE THE ABOVE REFERENCED EQUIPMENT SUBJECT TO STANDARD CONDITIONS ATTACHED HERETO AND ANY SPECIAL CONDITIONS OF THE PREVIOUSLY GRANTED OPERATING PERMIT.

B. Mathur  
B. MATHUR, P.E.  
MANAGER, PERMIT SECTION  
DIVISION OF AIR POLLUTION CONTROL

CC: PERMIT DIV

00058

ENSR

Exhibit C  
Water Quality

00050

217/782-0610

Rockford Division of Borg Warner Corporation  
Rockford Division of Borg Warner Corporation  
NPDES Permit No. IL0003883  
Final Permit

MAY 16 1979

Mr. James L. Thompson  
Rockford Division of Borg Warner Corporation  
2020 Harrison Avenue  
Rockford, Illinois 61101

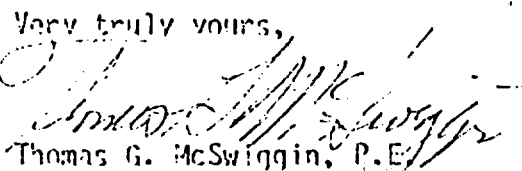
Gentlemen:

Attached is the final NPDES Permit for your discharge. The Permit as issued covers discharge limitations, monitoring, and reporting requirements. The failure of you to meet any portion of the Permit could result in civil and/or criminal penalties. The Illinois Environmental Protection Agency is ready and willing to assist you in interpreting any of the conditions of the Permit as they relate specifically to your discharge.

The Permit as issued is effective as of the date indicated on the first page of the Permit. You have the right to appeal any condition of the Permit to the Illinois Pollution Control Board prior to the effective date.

Should you have questions concerning the Permit, please contact Yogesh Sheth at the telephone number indicated above.

Very truly yours,

  
Thomas G. McSwiggan, P.E.  
Manager, Permit Section  
Division of Water Pollution Control

TGM:REB:YS:4v/6140/sp

Enclosure: Final Permit

cc: USEPA/With Enclosure  
Region I/With Enclosure  
Permit Section  
Records Unit

RECEIVED  
REGION 1 D.W.P.C.

MAY 18 1979

ENVIRONMENTAL PROTECTION AGENCY  
STATE OF ILLINOIS

00060

NPDES Permit No. IL0003883

Illinois Environmental Protection Agency

Division of Water Pollution Control

2200 Churchill Road

Springfield, Illinois 62706

NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM

Reissued (NPDES) Permit

Expiration Date: October 31, 1983

Issue Date: May 16, 1979

Effective Date: June 15, 1979

Permittee:

Rockford Division of Borg Warner  
Corporation

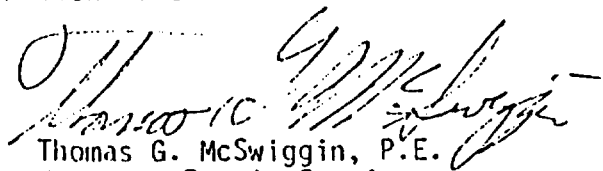
Facility Name and Address: 2020 Harrison Avenue, Rockford, Illinois,  
61101, Winnebago County

Receiving Waters:

Rock River via an unnamed ditch

In compliance with the provisions of the Illinois Environmental Protection Act, the Chapter 3 Rules and Regulations of the Illinois Pollution Control Board, and the FWPCA, the above-named permittee is hereby authorized to discharge at the above location to the above-named receiving stream in accordance with the standard conditions and attachments herein.

Permittee is not authorized to discharge after the above expiration date. In order to receive authorization to discharge beyond the expiration date, the permittee shall submit the proper application as required by the Illinois Environmental Protection Agency (IEPA) not later than 180 days prior to the expiration date.

  
Thomas G. McSwiggin, P.E.  
Manager, Permit Section  
Division of Water Pollution Control

TGM:REB:YS:sh/sp/5553a

00061

NPDES Permit No. IL0003883

## ATTACHMENT B

## Effluent Limitations and Monitoring

Discharge Number(s): 001

Discharge Name(s): Non Contact Cooling Water

From effective date of permit until the expiration date of this permit, the effluent of the above discharge(s) shall be monitored and limited at all times as follows:

PARAMETER	CONCENTRATION LIMITS mg/l			LOAD LIMITS lbs/day (Kg/day)			SAMPLE FREQUENCY	SAMPLE TYPE
	30 DAY	7 DAY	DAILY	30 DAY	7 DAY	DAILY		
	AVG.	AVG.	MAX.	AVG.	AVG.	MAX.		
Flow (MGD)							1/Week	
pH	See Attachment B Continued						1/Week	Grab
Temperature	See Attachment B Continued						1/Week	Grab

00062

## ATTACHMENT B CONTINUED

1. The pH shall be in the range 6.0 to 9.0.
2. Samples taken in compliance with the effluent monitoring requirements shall be taken at a point representative of the discharge, but prior to entry into the receiving stream.
3. For the purpose of this permit, this discharge is limited to non-contact cooling, free from process and other wastewater discharges. In the event that the permittee shall require the use of water treatment additives, the permittee must request a change in this permit in accordance with the Standard Conditions - Attachment H.
4. Discharge of wastewater from this facility must not alone or in combination with other sources cause the receiving stream to violate the following thermal limitations at the edge of the mixing zone which is defined by Rule 201(a), Illinois Pollution Control Board Rules and Regulations, Chapter 3: Water Pollution, as amended:
  - A. Maximum temperature rise above natural temperature must not exceed 5oF (2.78oC).
  - B. Water temperature at representative locations in the main river shall not exceed the maximum limits in the following table during more than one (1) percent of the hours in the 12-month period ending with any month. Moreover, at no time shall the water temperature at such locations exceed the maximum limits in the following table by more than 3oF (1.67oC). (Main river temperatures are temperatures of those portions of the river essentially similar to and following the same thermal regime as the temperatures of the main flow of the river.)

	<u>Jan.</u>	<u>Feb.</u>	<u>Mar.</u>	<u>Apr.</u>	<u>May</u>	<u>June</u>	<u>July</u>	<u>Aug.</u>	<u>Sept.</u>	<u>Oct.</u>	<u>Nov.</u>	<u>Dec.</u>
oF	60	60	60	90	90	90	90	90	90	90	90	60
oC	15.6	15.6	15.6	32.2	32.2	32.2	32.2	32.2	32.2	32.2	32.2	15.6

5. The permittee shall record monitoring results on Discharge Monitoring Report Forms using one such form for each discharge each month.

Discharge Monitoring Reports shall be mailed to the IEPA at the following address:

Illinois Environmental Protection Agency  
 Division of Water Pollution Control  
 2200 Churchill Road  
 Springfield, Illinois 62706

00063

Attention: NPDES Unit (DMR)

NPDES Permit No. IL0003883

ATTACHMENT B CONTINUED

6. The completed Discharge Monitoring Report forms shall be retained by the permittee for a period of six months and then shall be mailed and received by the IEPA in accordance with the following schedule, unless otherwise specified by the permitting authority.

Period	Received by IEPA
May, June, July, August, September, October	November 15
November, December, January, February, March, April	May 15

00064

**ATTACHMENT II**  
**Standard Conditions**

Act means the Illinois Environmental Protection Act, Ch. 111 1/2 Ill. Rev. Stat., Secs. 1001-1051 as Amended.

Agency means the Illinois Environmental Protection Agency.

PCB means the Illinois Pollution Control Board.

Ch. 111 1/2 means the Illinois Pollution Control Board Rules and Regulations, Chapter 31: Water Pollution.

Discharge means the maximum unit magnitude discharged during any calendar day.

Director means the Director of the Illinois Environmental Protection Agency.

FWPCA means the Federal Water Pollution Control Act, as amended, 33 U.S.C. 401 et seq., Public Law 95-217, approved December 27, 1977 (commonly referred to as the Clean Water Act).

NPDES means the National Pollutant Discharge Elimination System.

Daily average means the arithmetic mean of samples collected during a period of seven consecutive calendar days for the purposes of monitoring and reporting.

Monthly average means the arithmetic mean of samples collected during a calendar month for purposes of monitoring and reporting. Alternatively, monthly average may be construed by the Illinois Environmental Protection Agency to be defined as the arithmetic mean of samples collected during a period of 30 consecutive calendar days.

1. All discharges authorized herein shall be consistent with the terms and conditions of this permit. The discharge of any pollutant identified in this permit in excess of that authorized shall constitute a violation of the permit. Any anticipated facility expansions, production increases, or process modifications which will result in new, different, or increased discharges of pollutants must be reported by submission of a new NPDES application or, if such discharges will not violate the effluent limitations specified in this permit, by notice to the Agency of such changes. Following such notice, the permit may be revised to specify and limit any pollutants not previously limited.

2. In case of conflict between these standard conditions and any special conditions attached to this permit, the special conditions shall govern.

3. Except as otherwise provided in the Permit, all waters of the State shall be kept free from unnatural sludge or bottom deposits, floating debris, scum, oil, color, unnatural plant or algae growth, unnatural odor or turbidity, visible foam or matter in concentrations or combinations found harmful to human, animal, plant or aquatic life or their natural origins.

4. Pursuant to Chapter 31, this permit may be modified, suspended or revoked in whole or in part during its term for cause including, but not limited to, the following:

- a. Violation of any terms or conditions of the permit (including, but not limited to, schedules of compliance and conditions concerning monitoring, entry, and inspection);
- b. Obtaining a permit by misrepresentation or a failure to disclose facts, all relevant facts or;
- c. A change in any circumstance that mandates either a temporary or permanent reduction or elimination of the permitted discharge;

5. This permit may not be assigned or transferred. In the event of any change in control or ownership of facilities from which the authorized discharge originates, the permittee shall notify the governing owner or controller of the existence of this permit by letter, a copy of which shall be forwarded to the Agency.

6. The terms of this permit shall not convey any property rights in any real or personal property, or any exclusive privileges, nor shall it authorize any injury to private property or any invasion of civil rights, nor any infringement of federal, state or local laws or regulations.

7. No person shall allow any point only authorized by the Agency under the Federal Water Pollution Control Act upon the contribution of such discharge.

8. For the permittee's premises where effluent sources are

b. To have access to and copy at reasonable times any records required to be kept under the terms and conditions of this permit.

c. To inspect at reasonable times any monitoring equipment or monitoring method required to be kept by this permit.

d. To sample at reasonable times any discharge of pollutants.

8. Nothing in this permit shall be construed to preclude the institution of any legal action nor relieve the permittee from any responsibilities, liabilities, or penalties to which the permittee is or may be subject under Section 311 of the FWPCA and shall not be construed to relieve the permittee from civil or criminal penalties for noncompliance.

9. Nothing in this permit shall be construed to preclude the institution of any legal action nor relieve the permittee from any responsibilities, liabilities, or penalties established pursuant to any applicable state law or regulation under authority preserved by Section 510 of the FWPCA.

10. Any owner of any publicly owned or regulated treatment works shall give notice to the Agency of the following:

- a. Any new introduction of pollutants into such treatment works from a source which would be a new source as defined in Section 306 of the FWPCA if such source were discharging pollutants directly to the waters of the State;
- b. Except as to such categories and classes of point sources or discharges which may be specified by the Agency, any new introduction of pollutants into such treatment works from a source which would be a point source subject to Section 302 of the FWPCA if it were discharging such pollutants directly to the waters of the State;
- c. Any substantial change in volume or character of pollutants being introduced into such treatment works from a source introducing pollutants into such works at the time of issuance of the permit; and

Such notices shall contain information on:

The quality and quantity of wastewater to be introduced into such treatment works, and

Any anticipated impact of such change in the quantity or quality of effluent to be discharged from such publicly owned or publicly regulated treatment works.

11. If a toxic effluent standard or prohibition (including any schedule of compliance specified in such effluent standard or prohibition) is established pursuant to Section 307(a) of the FWPCA for a toxic pollutant which is present in the discharge authorized herein and such standard or prohibition is more stringent than any limitation upon such pollutant in this permit, this permit shall be revised by the Agency in accordance with the toxic effluent standard or prohibition and the permittee shall be so notified.

12. If for any reason the permittee does not comply with or will be unable to comply with any parameter limitation or other condition as specified in this permit, or should any unusual or extraordinary discharge of waste occur from the facilities herein permitted, the permittee shall provide the Agency with the following information in writing within a five (5) days of becoming aware of the condition:

- a. A description of the non-complying discharge including the impact upon the receiving water;
- b. Cause of non-compliance;
- c. Anticipated time the condition of non-compliance is expected to continue, or if such condition has been corrected, the duration of the period of non-compliance;
- d. Steps to be taken by the permittee to prevent recurrence of the condition of non-compliance;
- e. Steps taken by the permittee to reduce and eliminate non-compliance.

13. The diversion or bypass of any discharge from the treatment works by the permittee is prohibited, except: (1) where unavoidable to prevent the loss of life or severe property damage; or, (2) where excessive storm drainage runoff would damage any facilities necessary for compliance with the terms and conditions of this permit. The permittee shall notify the Agency within 72 hours of such diversion and shall submit a written report to the Agency within 30 days after such incident subject for approval to prevent recurrence of such incidents.

00065



1. The permittee shall take all reasonable steps to minimize any adverse impact on waters of the State resulting from non-compliance with any effluent limitations specified in this permit. The permittee will also provide accelerated or additional monitoring as necessary to determine the nature and the impact of the non-complying discharge(s).
2. The permittee is responsible for maintaining adequate safeguards to prevent the discharge of untreated or inadequately treated wastes during electrical power failures either by means of alternate power sources, standby generators or retention of inadequately treated effluent. Should the treatment works not include the above capabilities at the time of permit issuance, the permittee must furnish, within 120 days to the Agency, for approval, plans for such facilities and an implementation schedule for their installation.
3. The permittee shall effectively monitor the operation and efficiency of all treatment and control facilities and the quantity and quality of the treated discharges. The permittee must obtain the equipment necessary to perform the tests designated by the effluent and effluent limitations indicated in Schedule B, and A if included, or be able to utilize other laboratory services to determine and report the necessary results. Samples and measurement taken as required herein shall be representative of the volume and nature of the nonpoint discharges. Monitoring data required for this permit shall be summarized on a calendar month basis. Individual reports for each reporting period are to be submitted on the basis indicated in Schedule B and A if included of this permit, and/or on the appropriate forms as indicated by the Agency. Original copies of the Discharge Monitoring Report form properly signed and completed must be submitted and postmarked within fifteen (15) days after the end of the reporting period to: Illinois EPA, DWPC, 2200 Churchill Road, Springfield, Illinois, 62760, Attention: NPDES Unit (425).
4. The permittee shall record for all samples the date and time of sampling, the sampling method used, the date that analyses were performed, the identity of the analyses, and the results of all required analysis and measurements. All sampling and analytical records, required by this permit shall be retained for a minimum of three years. The permittee shall also retain all original records from any continuous monitoring instrumentation and any calibration and maintenance records for a minimum of three years. The records will be extended on a day-for-day basis during the course of any unresolved litigation, or when so requested by the Agency.
5. If the permittee exceeds any pollutant at the location(s) designated herein, more frequently than required by this permit, using approved methods as described in the schedule above, the results of such monitoring shall be included in the calibration and reporting of the values. Exceedances in the Discharge Monitoring Report form. Such exceedances shall also be indicated.
6. The analytical and sampling methods used shall conform to 40 CFR Part 136, except in cases where methods from current editions of the following manuals are utilized:
  - a. "Standard Methods for the Examination of Water and Wastewater", APHA, American Public Health Association, 1970.
  - b. "APHA Laboratory Manual, Part II, Water", American Society for Testing and Materials, Philadelphia, Pennsylvania.
  - c. "Manual for the Use of Analytical Methods of Water and Wastewater", EPA, Technology Institute.
7. The permittee shall calibrate and perform maintenance procedures on all monitoring and analytical instrumentation at intervals to ensure accuracy of the results.
8. Except for data determined to be confidential pursuant to Section 7 of the Illinois Water Conservation Act of 1973, all monitoring reports required by this permit shall be available for public inspection at the office of the Agency, immediately upon any release statement on discharge of pollutants, and in the implementation of Federal permittees as provided for in Section 401 of the FWPCA and Section 42 of the CWA.
9. The permittee shall at all times maintain in good working order and operate and maintain as well as possible any facilities or systems of control installed. The permittee to achieve compliance with the terms and conditions of the permit.
10. Owners of publicly owned or publicly regulated treatment works shall require that any industrial user of such treatment works comply with Federal, State and local laws, ordinances, and applicable regulations in 40 CFR.

- b. "Basic pollutant effluent standards and pretreatment standards pursuant to Section 307 of the FWPCA;
  - c. Inspection, monitoring and entry pursuant to Section 308 of the FWPCA.
  22. Collected screenings, sludges, sludges, and other solids shall be disposed of in such a manner as to prevent entry of those wastes (or runoff from the wastes) into waters of the State. The proper authorization for such disposal shall be obtained from the Agency and is incorporated as part hereof by reference.
  23. If any interim effluent limitations and/or schedule of compliance is provided for in this permit pursuant to Rule 409 of Chapter 3, the permittee is required to take such action to bring the discharge into compliance within the shortest period of time possible. If the Agency determines that the permittee is not taking timely action to secure the appropriate grant funding, the Agency may take the following actions:
    - a. Place the permittee on restricted status.
    - b. Initiate appropriate enforcement action.
  24. The discharge(s) authorized by this permit shall comply with, in addition to the requirements of the permit, all applicable provisions of Chapter 3 or applicable orders of the Board which are consistent with the FWPCA or regulations adopted thereunder.
  25. The permittee shall not commence construction or modification of any treatment works, disposal well, wastewater source, or process modification until an authorization to construct has been issued pursuant to Rule 910 of Chapter 3. If an authorization to construct is issued, it is hereby incorporated as a condition of this permit.
  26. The permittee is not authorized to discharge after the expiration date. In order to receive authorization to discharge beyond the expiration date, the permittee shall submit the proper application as required by the Agency not later than 180 days prior to the expiration date.
  27. "This permit may be modified or revised, or, alternatively revoked and reissued, to comply with an applicable effluent limitation issued pursuant to the order of the United States District Court for the District of Columbia issued on June 8, 1976, in Natural Resources Defense Council, Inc. et al. v. Train, 3 F.R.C. 1120 (D.C. 1976), if the effluent limitation so issued:
    - (1) is different in conditions or more stringent than any effluent limitation in the permit; or
    - (2) controls any pollutant not limited in the permit."
- This permit may be revised, following notice by the Agency that applicable effluent limitations covered by the Natural Resources Defense Council, Inc. et al. v. Train, 3 F.R.C. 1120 (D.C. 1976) will not be promulgated, to incorporate any applicable effluent limitation determined under Section 702(a)(1) of the Federal Water Pollution Control Act. (FWPCA) Amendments of 1972 as necessary to carry out the provisions of Section 301(b)(2)(a) of the FWPCA, if the effluent limitation so determined:
- a. Is more stringent than any effluent limitation in the permit; or
  - b. Controls any pollutant not limited in the permit.
28. This permit may be revised to incorporate, if necessary, applicable provisions of an approved 208 plan pursuant to Section 208 of the FWPCA.
  29. Applicable new or amended Pollution Control Board Rules or Regulations, Regulations promulgated pursuant to the FWPCA or Amendments to the FWPCA shall be incorporated herein and become part hereof when the Rule, Regulation or Amendment becomes effective. The Agency will notify each affected NPDES permittee of such incorporation.
  30. The provisions of this permit are severable, and if any provision of this permit or the application of any provision of this permit to any circumstance is held invalid, the application of such provision to other circumstances and the remainder of this permit shall not be affected thereby.

JC/bs/1621/1-A  
(Rev. 9/19/78)

00066



Illinois Environmental Protection Agency  
Attn: Mr. J. J. [illegible]  
Springfield, Illinois 62706  
January 11, 1987

Mr. J. J. [illegible]  
Illinois Environmental Protection Agency  
Attn: Mr. J. J. [illegible]  
Springfield, Illinois 62706

Dear Mr. [illegible]:

The Illinois Environmental Protection Agency has reviewed your letter of January 8, 1987, and is sorry that your discharge will be eliminated, thus we are unable to issue a permit. We understand that the manufacturing operation is being moved out of the plant and will be completely eliminated by January 15, 1987. You also stated that the facility will be closed by January 15, 1987.

We are sorry for continuing the situation, agrees with your conclusion, and since your permit has expired, hereby terminated your permit no. 1100000000 effective immediately.

Please be advised that should you wish to discharge to surface waters in the future, you must submit a complete application to this Agency a minimum of 180 days in advance of any discharge.

Should you have questions or comments, please contact Angela Tin of my staff.

Very truly yours,

  
Angela Tin, Regional Director  
Illinois Environmental Protection Agency  
Division of Water Pollution Control

cc: [illegible]

1100000000/10070/10

cc: [illegible]  
Section 1  
Permit Section  
Records Unit  
[illegible]

00007



217/782-9720

Borg Warner-Rockford Driveline  
NPDES Permit No. IL0003823  
Failure to file permit renewal application

**CERTIFIED MAIL  
RETURN RECEIPT REQUESTED**

September 12, 1986

**RECEIVED  
REGION 1 D.W.P.C.**

Borg Warner-Rockford Driveline  
7020 Harrison Ave.  
Rockford, Illinois 61101

**SEP 19 1986**

**ENVIRONMENTAL PROTECTION AGENCY  
STATE OF ILLINOIS**

Gentlemen:


A review of Agency records indicate that your facility has failed to reapply for and obtain an NPDES permit. Pursuant to 35-111, Adm. Code 309.104 and Section 122.21 of the Clean Water Act you are required to submit a renewal application of your NPDES Permit 180 days prior to the expiration date.

Please complete and submit the enclosed renewal application within ten (10) days of receipt of this letter. In the event this discharge has been discontinued or may not require an NPDES Permit, please submit in writing the reasons and request termination of the permit. This information should be sent to the IEPA at the following address:

Illinois Environmental Protection Agency  
Division of Water Pollution Control  
2200 Churchill Road  
Springfield, Illinois 62706  
Attention: Compliance Assurance Section

Further, take notice that non-compliance with this requirement may be the subject of enforcement action. If there are any questions regarding this matter, please contact Gary Reside by telephone at 217/782-9720.

Sincerely,

  
Kenneth R. Rogers, Manager  
Compliance Assurance Section  
Division of Water Pollution Control

ENCLOSURE

Enclosure

cc: Compliance Assurance Section  
Illinois NPDES  
Regional Office  
Rockford

00088



NOTE: FORM DESIGNED TO PRINT 8 LINES PER INCH.

EPA Form 8700-22 (Rev. 6-89)

Form Approved. OMB No. 2050-0039, Expires 9-30-91

**UNIFORM HAZARDOUS  
WASTE MANIFEST**

1. Generator's US EPA ID No.

Manifest  
Document No.2. Page 1  
of 1Information in the shaded areas is not  
required by Federal law, but is  
required by Illinois law.

3. Generator's Name and Mailing Address

Location If Different:

A. Illinois Manifest Document Number

IL 4375646

MANIFEST  
FEE PAID

4. Generator's Phone

B. Illinois

Generator's

ID

2010305066

5. Transporter 1 Company Name

6.

US EPA ID Number

C. Illinois Transporter's ID

00045

7. Transporter 2 Company Name

8.

US EPA ID Number

D. ( ) Transporter's Phone

E. Illinois Transporter's ID

F. ( ) Transporter's Phone

9. Designated Facility Name and Site Address

10.

US EPA ID Number

G. Illinois

Facility's ID

2010300029

Facility's Phone

11. US DOT Description (Including Proper Shipping Name, Hazard Class, and ID Number)

12. Containers

13. Total

Quantity

14. Unit

Wt/Vol

Waste No.

a.

b.

c.

d.

EPA HW Number

X-X

Authorization Number

EPA HW Number

X-X

Authorization Number

EPA HW Number

X-X

Authorization Number

EPA HW Number

X-X

Authorization Number

J. Additional Descriptions for Materials Listed Above

K. Handling Codes for Wastes Listed Above

In Item 11

1 - Gallons

2 - Cubic Yards

15. Special Handling Instructions and Additional Information

**16. GENERATOR'S CERTIFICATION:** I hereby declare that the contents of this consignment are fully and accurately described above by  
proper shipping name and are classified, packed, marked, and labeled, and are in all respects in proper condition for transport by highway  
according to applicable international and national government regulations.

If I am a large quantity generator, I certify that I have a program in place to reduce the volume and toxicity of waste generated to the degree I have determined  
to be economically practicable and that I have selected the practicable method of treatment, storage, or disposal currently available to me which minimizes the present  
and future threat to human health and the environment. Or, if I am a small quantity generator, I have made a good faith effort to minimize my waste generation  
and select the best waste management method that is available to me and that I can afford.

Printed/Typed Name

Signature

Date

Month Day Year

17. Transporter 1 Acknowledgement of Receipt of Materials

Printed/Typed Name

Signature

Date

Month Day Year

18. Transporter 2 Acknowledgement of Receipt of Materials

Printed/Typed Name

Signature

Date

Month Day Year

19. Discrepancy Indication Space

20. Facility Owner or Operator: Certification of receipt of hazardous material covered by this manifest except as noted in item 19.

Printed/Typed Name

Signature

Date

Month Day Year

This Agency is authorized to require, pursuant to Illinois Environmental Protection Act, Chapter 21, that the transporter provide the information in this manifest in a civil penalty against the owner or  
operator of not to exceed \$25,000 per day of violation. Failure to provide this information may result in a civil penalty against the owner or operator of not to exceed \$25,000 per day of violation. This form has been approved by the Forms Management  
Unit.

COPY 5. GENERATOR MAIL TO EPA